

# INSTRUCTIONS FOR FILING BANKRUPTCY

## Bankruptcy Pro Se Help Desk

### **BEFORE you file:**

1. **You must take a credit counseling course.** This is ***required*** by law. The cost of the class is between \$10 and \$50. See the attached list of trustee-approved counselors for Illinois. You must complete the course before you file or your case may be thrown out of court. The credit counseling certificate must be dated before the time you file your case and not more than 180 days old.
2. **You should get a credit report.** Go to [www.annualcreditreport.com](http://www.annualcreditreport.com) and obtain a credit report for free from any one of the three major credit bureaus. It doesn't matter which you one get. While you can't rely on a credit report 100%, it will be very useful when you are completing the bankruptcy forms.
3. **You must complete the bankruptcy forms.** Use the attached instructions (**Completing the Bankruptcy Forms**, pages 3-5 of this packet) to fill them out as fully as possible.
  - *Do not return to the Assistance Desk until you have completed the forms.*
  - *The attorney **will not** complete the schedules for you.*
4. **You may have an attorney review your paperwork:** Once you have completed the forms, you may return to the Assistance Desk for a review of your forms. *This is not required, but recommended.*
5. **You should copy all forms that you plan to submit.** Make at least two copies of everything you will file with the Clerk. Try to do this before filing, as the Clerk's office charges 50¢ per page.

**To file your case:** Go to the Clerk's office, which is Room 713 in this building (the Dirksen Federal Building).

Have all of the items listed below in the following order:

- Voluntary Petition (Form 101)
- Certificate from approved credit counseling agency
- Summary of Assets and Liabilities and Certain Statistical Information (Form 106Sum)
- Schedules A/B through J (and if applicable J-2); 8 schedules
- Declaration about Debtor's Schedules (Form 106Dec)
- Statement of Financial Affairs for Individuals (Form 107)
- Statement of Social Security Number (Form 121)
- Form 122 (the Means Test) (In a Chapter 7, file Form 122A; in a Chapter 13 file Form 122C)
- If a Chapter 7, Debtor's Statement of Intention (Form 108)*
- If a Chapter 13, Model Chapter 13 Plan*
- Filing Fee Payment
  - **\$335** for a Chapter 7 OR **\$310** for a Chapter 13 (pay in full if you can; this is preferable for a Ch. 13)
  - OR Application to Pay Fee in Installments
  - OR only in a Chapter 7, Application for Waiver of Fee

- Over the counter payments can be made with cash, cashier's check, certified check, or money order made payable to "Clerk, U.S. Bankruptcy Court." **The Clerk's Office does not accept personal checks.**

**Once all your documents are filed, your work is not over! Read further for information on what to do after you file.**

### **\*\*\* What if I have an emergency? \*\*\***

If you think that you need to file bankruptcy right away because of an emergency, stay and talk to the attorney to find out if you have a legal emergency, and, if so, what you must do today and tomorrow to preserve your rights. **In a true emergency situation you can file a "bare bones" or "skeletal" bankruptcy with a limited set of initial paperwork, but if you do this you MUST file all the remaining paperwork within 14 days.** *(It is better to file all the paperwork together if you have time.)*

#### **AFTER filing, you must:**

##### **1. Submit your tax returns and pay stubs to your trustee:**

- Last 60 days of pay stubs
  - If you were not employed in the last 60 days, you can submit an affidavit.
- *In a Chapter 7*, the most recent year's tax return; *In a Chapter 13*, last FOUR years of tax returns.
  - If you do not have copies of these tax returns the trustee will accept a tax return transcript from the IRS. If you were not required to file a tax return you can submit an affidavit.

##### **2. Where and how do you submit tax returns and pay stubs?**

- If you filed a **Chapter 7** case, check this page on the bankruptcy court's web site (<https://www.ilnb.uscourts.gov/chapter-7-trustee-341-preferences>) to find out how your Chapter 7 trustee will accept these documents. If you cannot find your trustee on this list, call your trustee to see how (s)he would like to receive these documents.
- If you filed a **Chapter 13** case, go to the web site for your trustee for instructions.
  1. Marilyn Marshal <http://www.chi13.com/Web/staff.html>
  2. Tom Vaughn <http://www.13network.com/chihome.htm>
  3. Glenn Stearns  
<http://www.lisle13.com.previewc45.carrierzone.com/PayAdvicesTaxReturns.pdf>

If your trustee wants documents in a format you don't have access to, call the trustee to see what you need to do – you must submit this information or your case can be thrown out of court.

- ##### **3. If you filed Chapter 7 and have secured debts, you should send a copy of your Statement of Intention to your secured creditors.** You should do this as soon as possible, **and no later than 14**

**days after filing the case.** If you do not do this, your creditors will not know your intentions and they may cause problems for you. In the worst case, you may lose the protection of the automatic stay.

4. **Complete your debtor education course (this is the 2<sup>nd</sup> MANDATORY course – it is different from the credit counseling course you took before you filed).** You may take this class with any of the approved counselors on the list included in this packet. It costs between \$10 and \$50. You do not have to take it from the company that gave you your credit counseling course, but you may. (Also, check with your chapter 13 trustee: they may offer a free debtor education course.)
5. **File your Debtor Education Certificate and Form B23** with the Clerk's office (Room 710).
6. **Attend your 341 Meeting.** This is an opportunity for the trustee (a representative of the Court) and your creditors (if any attend) to ask any remaining questions about your filing.
7. **Make any changes to your bankruptcy documents that are required or requested by your trustee.** Submit these to the Clerk's office all at once, so that you will only pay the fee to amend (\$31) one time.
8. *If you filed a Chapter 13 case, you **MUST begin making your trustee payments within 30 days after your case was filed.** If you have a mortgage on your house, you must **make your regular mortgage payments on their first due date** (typically the 1<sup>st</sup> of the month) after your case was filed.*

❖ *Your trustee payment, and mortgage payments are due within **30 days** of filing*

1. *whether or not you have attended your 341 meeting, and*
2. *whether or not the judge has approved (confirmed) your case.*

## COMPLETING YOUR BANKRUPTCY FORMS – Form by Form Tips

**Voluntary Petition for Individual Debtor (Form 101):** Fill in all boxes that apply to you as a pro se (“for oneself,” without a lawyer), consumer debtor in either Chapter 7 or Chapter 13 bankruptcy. Note that you do not have an attorney or a petition preparer, so ignore boxes that ask for their information.

**Credit Counseling:** Once you have completed your pre-filing credit counseling class, check the first or second box on this form. This informs the Court that you completed your class at least one minute before and not more than 180 days before filing. If you have not done this, your case may be dismissed.

**Certificate from approved credit counselor:** Again, this must be time stamped for **BEFORE** your file, and not more than 180 days before filing your bankruptcy. Place this after last page of the petition.

### **Schedules: Summary; Schedules A/B through J-2: Declaration (Form 106 series)**

Summary of Schedules (You may set this aside until you have completed all of the more specific, lettered schedules because this form asks for their totals. **But be sure to come back to it!**)

- Copy your totals from the lettered schedules to this form.
  - Copy your current monthly income from Form 122 to line 8 in part 4.
- Schedules A & B: These schedules tell the Court what you possess. List things you own outright, are buying, or are leasing. We often hear people say, “I have nothing.” Well, if you’re wearing clothes, if you have 20¢ in your pocket, if you sleep on a bed of your own, *you have something and you must list it.* Usually, much or even all of your property will be “exempt,” meaning the Court will not take it away from you. However, you must list it first; only listed property can be protected by exemptions. List property you are leasing here as well as on Schedule G.
- Schedule C: This schedule relists all of your property (from Schedule A/B) to tell the Court why your property legally cannot be taken under Illinois or federal law. To complete this schedule, you will need the list of Illinois and federal exemption statutes included in this packet (the list does not have every exemption that might apply). You should always have an attorney review Schedule C before you file it. In certain situations you should claim leases or executory contract as exempt.
- Schedules D, E, & F: These schedules tell the Court all about your debts. They fall under three categories:
- Secured debts (Schedule D): A **secured** debt is a debt you owe for something that could be taken away from you if you do not pay (like a house or car).
  - Unsecured priority (Schedule E/F part I): An **unsecured** debt is a debt for something that cannot or would not be taken away from you if you did not pay, unless there is a specific court order. **Priority** means that it falls under one of the categories listed on the schedule under “Types of Priority Claims” (such as child support debt or recent taxes). Priority does not mean the same as “non-dischargeable.”

- Unsecured Nonpriority (Schedule E/F part II): This schedule lists **any other kinds of debt** you have: credit cards, medical bills, student loans, debts on repossessed property, etc. If you have collection agencies pursuing you, see the next paragraph.
- Other to be Notified About a Debt That You Already Listed: This is where you list attorneys for creditors, collection agencies collecting for creditors, and people who may reimburse current creditors (example – if you have a guaranteed student loan, list the US Department of Education as well as the loan servicer).

\*\*\***Parking tickets**- if you have parking tickets, your car has been impounded, and you want to keep your car, you need to list the tickets under **secured debts**, in **Schedule D**. The creditor is the City of Chicago.\*\*\*

- Schedule G: List any leases (apartment, vehicle) or rental agreements (furniture, appliances). Also list “executory contracts” – for example, phone and home alarm contracts. If you have a Section 8 voucher, you will list your landlord and the housing authority that issues the Section 8 voucher.
- Schedule H: List anyone who has co-signed on any of your debts. If you were married or in a civil union and lived in a community property state in the last eight years, complete all of question 2.
- Schedule I: This schedule takes a snapshot of your current monthly income, including income from employment or public benefits. List non-cash benefits that have a specific value, such as food stamps. Non-cash benefits with no specific value, such as Medicaid or Medicare, should not be listed here.
- Schedule J: List your monthly expenses, making sure each expense is listed on the correct line. Complete the calculation in item 23 to get your net monthly income (income minus expenses)—this number may be negative.
- **Declaration Concerning Debtor’s Schedules**: Sign and date this page. It is a good idea to go over all the schedules again before you sign, because you are signing this under penalty of perjury (that is, you can go to jail if you are lying about the information on these forms).
- **Statement of Financial Affairs (Form 107)**: This document takes a longer view of your income situation. Read and answer *every question*, paying attention to the length of time specified in the question. If you have not owned a business, most of the questions from #24 on will not apply to you, but you should read through them to be sure. NOTE: If you have worked at all in the *past two years*, you must list that income under item #1. If you have received any public benefits in the *past two years* (unemployment, food stamps, disability, social security), you must list that income under item #2.
- **Statement of Social Security Number (Form 121)**: This is the only place in all of your documents on which you will write all nine digits of your social security number or ITIN (Individual Taxpayer

Identification Number). Anywhere else where this information is requested, you should only write the last four digits. If you were using an ITIN before you were issued a Social Security Number, you must list both. If you have had an employer identification number in the last 8 years, the full EIN goes on page 2, question 4, of the Petition (Form 101).

- **Notice to Individual Consumer Debtors:** This document ensures that you know 1) the legal requirement that you take a credit counseling class before filing *and* a debtor education course after filing; 2) the differences between the four chapters of bankruptcy; and 3) the penalties applicable for any fraud committed by you during your bankruptcy.
- **Form 122 (the Means Test):** Be sure that you have the correct Means Test for the Chapter you are filing. Form 122A-1 & 122A-1Supp are for Chapter 7; Form 122C-1 & 122C-2 are for Chapter 13.

*TIPS:*

- For the “Applicable Median Family Income” question (#13c for Chapter 7 Means Test or #16c for Chapter 13 Means Test), find the page in this packet that lists that info or see the web site, [www.usdoj.gov/ust/meanstest](http://www.usdoj.gov/ust/meanstest).
  - Pay close attention to all directions, but *especially* those included with either questions #12-14 for Chapter 7 OR questions #20-21 for Chapter 13, as it may determine that you *do not need to complete the additional Form 122A-1Supp or Form 122C-2*.
- *If a Chapter 7, **Statement of Intention (Form 108):*** If you are filing a Chapter 7, and you have secured debts (Schedule D lists secured debts), you will use this form to tell the Court what you intend to do about that property—either surrender it or keep it by reaffirming the debt or redeeming the property.
  - *If a Chapter 13, **Model Plan:*** This document sets forth the payments you will make to receive your discharge and for how long you will pay them. *You must make a monthly plan payment beginning 30 days after you file, for between 36 months (3 years) and 60 months (5 years).* We recommend using the calculating version of this plan located here: <https://www.ilnb.uscourts.gov/forms/chapter-13-model-plan-calculating>
  - **Payment of Filing Fees**
    - \$335 for a Chapter 7 OR \$310 for a Chapter 13
    - OR Application to Pay Fee in Installments
    - OR only in a Chapter 7, Application for Waiver of Fee
    - Over the counter payments can be made with cash, cashier’s check, certified check, or money order made payable to “Clerk, U.S. Bankruptcy Court.” **The Clerk’s Office does not accept personal check.**



**Did you return to the Summary of Assets and Liabilities and Certain Statistical Information to double-check all of your entries and totals?**

### Approved Credit Counseling Agencies for Northern District of Illinois

<b>Agency Name</b>	<b>Contact Phone Number</b>	<b>Counseling Delivery Option</b>	<b>Course Languages</b>
\$0\$ BK Class Inc.	877-376-7122	Online: <a href="http://www.myonlinebankruptcyclass.com/">http://www.myonlinebankruptcyclass.com/</a>	English and Spanish
001 Debtorcc, Inc.	1-800-610-3920	Online: <a href="http://www.debtorcc.org/">http://www.debtorcc.org/</a>	English and Spanish
1\$ Wiser Consumer Education, Inc.	800-496-2440	Online: <a href="http://www.1dollarwiser.com/">http://www.1dollarwiser.com/</a> Phone: 800-496-2440	English
101creditcounseling.com	866-676-1364	Online: <a href="http://www.101creditcounseling.com/">http://www.101creditcounseling.com/</a>	English
123 Credit Counselors, Inc.	305-269-1092	Online: <a href="http://www.a123cc.org/">http://www.a123cc.org/</a> Phone: 1-888-412-2123	English and Spanish
Abacus Credit Counseling	800-516-3834	Online: <a href="http://www.abacuscc.org/">http://www.abacuscc.org/</a>	English and Spanish
Abel Credit Counseling Services, Inc.	308-225-5357	Online: <a href="http://www.abelccs.org/">http://www.abelccs.org/</a> Phone: 800-516-3834	English
Academy of Financial Literacy, Inc.	877-833-2867	Online: <a href="http://www.academyoffinancialliteracy.com">http://www.academyoffinancialliteracy.com</a>	English and Spanish
Access Counseling, Inc.	800-205-9297	Online: <a href="http://www.accesscounseling.com/">http://www.accesscounseling.com/</a> Phone: 800-205-9297	English and Spanish
A Debt Coach Credit Counseling Service, Inc.	888-767-9155	Phone: 888-767-9155	English
Advantage Credit Counseling Service, Inc.	888-511-2227	Online: <a href="http://www.advantageccs.org">http://www.advantageccs.org</a> Phone: 866-409-2227	English
Allen Credit and Debt Counseling Agency	888-415-8173	Online: <a href="http://www.acdcas.com/">http://www.acdcas.com/</a> Phone: 888-415-8173	English and Spanish
Alliance Credit Counseling, Inc.	704-540-2477	Online: <a href="http://www.knowdebt.org/">http://www.knowdebt.org/</a> Phone: 888-594-9596	English and Spanish
American Consumer Credit Counseling, Inc.	866-826-6924	Online: <a href="http://www.consumercredit.org/">http://www.consumercredit.org/</a> Phone: 800-498-0766	English and Spanish
American Debt Resources, Inc.	800-498-0766	Phone: 800-498-0766	English and Spanish
American Financial Solutions	800-894-7240	Online: <a href="http://www.myfinancialgoals.org/">http://www.myfinancialgoals.org/</a> Phone: 1-800-894-7240	English and Spanish
Big Step Training, LLC	503-888-0694	Online: <a href="http://www.bigsteptraining.org/">http://www.bigsteptraining.org/</a>	English and Spanish
Black Hills Children's Ranch, Inc.	605-348-1608	Online: <a href="http://www.pioneercredit.com/">http://www.pioneercredit.com/</a> Phone: 800-888-1596	English and Spanish

## Credit Counseling Agencies

Cambridge Credit Counseling Corp.	800-403-3433	Online: <a href="http://www.cambridgecredit.org/">http://www.cambridgecredit.org/</a>	English and Spanish
CC Advising, Inc.	1-855-980-6690	Online: <a href="http://www.ccadvising.com/">http://www.ccadvising.com/</a>	English, Russian, Spanish
Chestnut Health Systems, Inc.	309-820-3501	Online: <a href="http://www.chestnut.org/credit">http://www.chestnut.org/credit</a> Phone: 800-615-3022	English
Comprehensive Credit Counseling	574-299-9648	Phone: 1-800-288-6581	English
Consumer Credit Counseling of Springfield, Missouri, Inc.	417-889-7474	Phone: 800-882-0808	English
Consumer Credit Counseling Service of Buffalo, Inc.	716-712-2060	Online: <a href="http://www.consumercreditbuffalo.org/">http://www.consumercreditbuffalo.org/</a> Phone: 800-926-9685	English and Spanish
Consumer Credit Counseling Service of Maryland and Delaware, Inc.	410-747-2050	Online: <a href="http://www.guidewellfs.org/">http://www.guidewellfs.org/</a> Phone: 800-642-2227	English
Consumer Credit Counseling Service of Northeastern Iowa, Inc.	319-234-0661	Online: <a href="http://www.cccsia.org/">http://www.cccsia.org/</a> Phone: 800-714-4388	English and Spanish
Consumer Credit Counseling Service of Northern Illinois, Inc.	815-338-5757	Phone: 800-815-2227 In Person: locations in Elgin, Libertyville, and Woodstock	English and Spanish
Consumer Credit Counseling Service of Rochester, Inc.	585-546-3440	Online: <a href="http://www.cccsofrochester.org/">http://www.cccsofrochester.org/</a> Phone: 888-724-2227	English and Spanish
Consumer Credit Counseling Service of San Francisco	800-777-7526	Phone: 800-777-7526	English and Spanish
Consumer Credit Counseling Service of the Midwest, Inc.	800-355-2227	Online: <a href="http://www.apprisen.com/">http://www.apprisen.com/</a> Phone: 800-355-2227	English and Spanish
Consumer Debt Counselors, Inc.	800-820-9232	Online: <a href="http://www.consumerdebtcounselors.com/">http://www.consumerdebtcounselors.com/</a> Phone: 800-820-9232	English
Consumer Education Services, Inc.	800-435-9138	Online: <a href="http://www.startfreshtoday.com/">http://www.startfreshtoday.com/</a> Phone: 800-435-9138	English and Spanish
Credit Advisors Foundation	402-393-3100	Online: <a href="http://www.yourbankruptcypartner.com/">http://www.yourbankruptcypartner.com/</a>	English and Spanish
Credit Card Management Services, Inc.	800-920-2262	Online: <a href="http://www.debthelper.com/">http://www.debthelper.com/</a> Phone: 800-920-2262	English and Spanish

## Credit Counseling Agencies

Credit Counseling Center	215-348-8003	Online: <a href="http://www.ccc-credit.com/">http://www.ccc-credit.com/</a> Phone: 877-900-4222	English
Cricket Debt Counseling	503-353-0400	Online: <a href="http://www.cricketdebt.com/">http://www.cricketdebt.com/</a> Phone: 866-719-0400	English and Spanish
Debt Counseling Corp.	888-354-6332	Online: <a href="http://www.debtcounselingcorp.org/">http://www.debtcounselingcorp.org/</a> Phone: 1-888-354-6332	English
Debt Education and Certification Foundation	866-859-7323	Online: <a href="http://www.bkcert.com/">http://www.bkcert.com/</a> Phone: 866-859-7323	English and Spanish
Debt Management Credit Counseling Corp.	954-418-1466	Phone: 888-777-0981	English and Spanish
Debt Reduction Services, Inc.	208-378-0200	Online: <a href="http://www.debtreductionservices.org/">http://www.debtreductionservices.org/</a>	English
Dollar Learning Foundation, Inc.	877-366-6070	Online: <a href="http://www.dollarbk.org/">http://www.dollarbk.org/</a> Phone: 877-366-6070	English and Spanish
Evergreen Financial Counseling	800-581-3513	Online: <a href="http://www.evergreenclass.com/">http://www.evergreenclass.com/</a> Phone: 800-581-3513	English
Family Financial Education Foundation	307-789-2010	Online: <a href="http://www.ffef.org/">http://www.ffef.org/</a> Phone: 1-888-292-4333	English and Spanish
Family Services of Southern Wisconsin and Northern Illinois, Inc.	608-365-1244	Online: <a href="http://cccsbeloit.org/">http://cccsbeloit.org/</a> Phone: 866-925-2227	English
Garden State Consumer Credit Counseling, Inc.	732-409-6281	Online: <a href="http://www.navicoresolutions.org/">http://www.navicoresolutions.org/</a>	English and Spanish
GreenPath, Inc.	248-553-5400	Online: <a href="http://www.greenpath.com/">http://www.greenpath.com/</a> Phone: (800) 630-6718	English and Spanish
Hananwill Credit Counseling	877-544-5560	Online: <a href="http://www.hananwill.com/">http://www.hananwill.com/</a> Phone: 877-544-5560	English
InCharge Debt Solutions	407-532-5716	Online: <a href="http://www.personalfinanceeducation.com/">http://www.personalfinanceeducation.com/</a> Phone: 1-866-729-0049	English and Spanish
Institute for Consumer Credit Education	708-633-6355	Phone: 800-431-1082 In Person: Location in Tinley Park	English
Money Management International, Inc.	877-964-2227	Online: <a href="http://www.moneymanagement.org/">http://www.moneymanagement.org/</a> Phone: 877-964-2227 In Person: Locations in Chicago, Rolling Meadows, and Tinley Park	English and Spanish
MoneySharp Credit Counseling Inc.	866-200-6825	Online: <a href="http://www.moneysharp.org/">http://www.moneysharp.org/</a>	English and Spanish
Northwest Michigan Community Action Agency, Inc.	231-947-3780	Online: <a href="http://www.nmcaa.net/">http://www.nmcaa.net/</a> In Person: 800-632-7334	English
SafeGuard Credit Counseling Services, Inc.	800-673-6993	Online: <a href="http://www.safeguardcredit.org/">http://www.safeguardcredit.org/</a> In Person: 800-673-6993	English and Spanish

## Credit Counseling Agencies

Springboard Nonprofit Consumer Credit Management, Inc.	951-781-0114	Online: <a href="http://www.bkhelp.org/">http://www.bkhelp.org/</a> or <a href="http://www.bancarrota.org">www.bancarrota.org</a> In Person: 888-425-3453	English and Spanish
Stand Sure Credit Counseling	877-240-1398	Online: <a href="http://www.standsurecc.org/">http://www.standsurecc.org/</a> In Person: 877-240-1398	English
Summit Financial Education, Inc.	1-800-780-5965	Online: <a href="http://www.summitfe.org/">http://www.summitfe.org/</a>	English
Take Charge America, Inc.	623-266-6100	Online: <a href="http://bankruptcy counseling.org/">http://bankruptcy counseling.org/</a>	English and Spanish
The Kingdom Ministries, Inc.	901-552-5131	Phone: 901-552-5131	English
The Mesquite Group, Inc.	877-769-4069	Online: <a href="http://www.themesquitegroup.org/">http://www.themesquitegroup.org/</a> Phone: 877-769-4069	English and Spanish
Urgent Credit Counseling, Inc.	866-233-1940	Online: <a href="http://www.urgentco.com/">http://www.urgentco.com/</a> Phone: 866-233-1940	English and Spanish

**Selected exemptions- by statute number (Illinois)**

<b>Statute</b>	<b>Type of Property</b>	<b>Maximum Amount</b>
735 ILCS 5/12-901	Homestead (principal residence)	\$15,000
735 ILCS 5/12-1001(a)	Necessary clothing	No limit- claim 100%
735 ILCS 5/12-1001(b)	Any personal property (can use this on multiple items; also, can stack with specific exemptions, such as for a car)	\$4,000
735 ILCS 5/12-1001(c)	One motor vehicle	\$2,400
735 ILCS 5/12-1001(d)	Tools of the trade, professional books	\$1,500
735 ILCS 5/12-1001(e)	Professional prescribed health aids	No limit- claim 100%
735 ILCS 5/12-1001(f)	Life insurance proceeds payable to a dependent or spouse of decedent	No limit- claim 100%
735 ILCS 5/12-1001(g)(1)	Social security, unemployment or public assistance benefit- includes earned income credit	No limit- claim 100%
735 ILCS 5/12-1001(g)(2)	Veteran's benefit	No limit- claim 100%
735 ILCS 5/12-1001(g)(3)	A disability, illness or unemployment benefit	No limit- claim 100%
735 ILCS 5/12-1001(g)(4)	Reasonably necessary alimony or support	No limit- claim 100%
735 ILCS 5/12-1001(h)(1)	Crime victim's reparation	No limit- claim 100%
735 ILCS 5/12-1001(h)(2)	Wrongful death award to a dependent of decedent	No limit- claim 100%
735 ILCS 5/12-1001(h)(3)	Life insurance proceeds payable to a dependent of decedent	No limit- claim 100%
735 ILCS 5/12-1001(h)(4)	Payment for personal bodily injury	\$15,000
735 ILCS 5/12-1006	Retirement benefits	100%
820 ILCS 305/21	Workers' compensation	No limit- claim 100%
735 5/12-803	Wages	85%

**Federal non-bankruptcy**

<b>Statute</b>	<b>Type of Property</b>	<b>Maximum Amount</b>
5 USC §8346(a)	Federal civil service retirement benefits	No limit- claim 100%
11 USC §522(b)(3)(C)	Retirement funds in tax exempt account	No limit- claim 100% (but IRA may have limit of \$1,245,473)
20 USC §1095a(d)	Proceeds of student loans	No limit- claim 100%
38 USC §5301(a)	Veteran's benefits	No limit- claim 100%
42 USC §407	Social security or SSI	No limit- claim 100%

**Wild Card 735 ILCS 5/12-1001(b) - \$4,000, any personal property**

<b>Property</b>	<b>Statute</b>	<b>Dollar Amount or Percentage</b>
Property used as primary residence	735 ILCS 5/12-901	\$15,000
Motor vehicles (cars, vans, trucks, motorcycles, SUVs)	735 ILCS 5/12-1001(c) Can stack with wild card	\$2,400
Boats, off road, snowmobiles, etc.	735 ILCS 5/12-1001(b)	
Household goods and furnishings such as appliances, furniture dishes, silverware	735 ILCS 5/12-1001(b) Wild card	
Electronics (TVs, computers, cell phones, tablets, etc)	735 ILCS 5/12-1001(b) Wild card	
iPads and eReaders may qualify as school books or Tools of the trade	735 ILCS 5/12-1001(a) 735 ILCS 5/12-1001(d)	100% \$1,500
Collectibles (antiques, artwork, books, stamps, coins, baseball cards)	735 ILCS 5/12-1001(b) Wild card	
Sporting and hobby equipment Tools if used to produce income, explain	Wild card 735 ILCS 5/12-1001(d)	100%
Firearms and ammunition	Wild card	
Clothes (everyday clothes, furs, leather coats, designer wear, shoes)	735 ILCS 5/12-1001(a)	100%
Jewelry (everyday jewelry, rings, watches, gems, old silver)	Wild card	
Pets	Wild card	
Any other tangible items, including health aids	Wild card 735 ILCS 5/12-1001(e)	100%
Cash	Wild card	
Deposits of money (bank accounts, certificates of deposit, credit union shares, balances on debit cards or LINK cards)	If nonexempt source, use wild card	
<ul style="list-style-type: none"> <li>• Social security</li> <li>• Veterans benefits</li> <li>• Personal injury</li> <li>• Wrongful death</li> <li>• Crime victim</li> <li>• Student loan proceeds</li> <li>• Works compensation</li> <li>• Wages</li> </ul>	42 USC §407 38 USC §5301(a) 735 ILCS 5/12-1001(h)(4) 735 ILCS 5/12-1001(h)(2) 735 ILCS 5/12-1001(h)(1) 20 USC §1095a(d) 820 ILCS 305/21 820 ILCS 305/21 735 5/12-803	100% 100% \$15,000 100% 100% 100% 100% 100% 100%
Money taken out of retirement account can be repaid or rolled over to a new IRA	735 5/12-803	85%
Mutual funds, stocks, bonds	Wild card	
Non-public stocks, interests in businesses	Wild card	
Money orders (checks, notes, etc.)	Wild card	

Exemptions – Schedule C

Retirement or pension accounts (IRAs, 401(k)s, 403 (b)s, pension, profit sharing)	735 ILCS 5/12-1006	100%
Security deposits and prepayments. Examples: Utility (gas, lights, phone) Apartment Prepaid Rent	Wild card	\$15,000
Annuities	Wild card 735 ILCS 5/12-1006	100% if qualified retirement
Educational IRAs or similar	Might not be property of the estate	
Trusts, equitable and future interests	Wild card 735 ILCS 5/12-901 may apply to beneficial interests in land trusts	\$15,000
Intellectual property (patents, copyrights)	Wild card	
Licenses franchises, other intangibles	Wild card	
Tax refunds owed to you Possible future tax refunds If earned income credit	Wild card 735 ILCS 5/12-1001(g)(1)	100%
Past due child support, alimony or divorce settlement	735 ILCS 5/12-1001(g)(4)	100%
Money owed to you: unpaid wages, insurance, vacation or sick pay, workers' comp, disability, social security, VA or unemployment benefits, personal loans, etc	Wild card Use specific exemption above if applicable	
Insurance policies (life insurance, homeowner's or renter's insurance, health savings account)	Wild card proceeds from life policies 735 ILCS 5/12-1001(f)	100%
Property due to you from someone who died	Wild card	
Claims against someone else (employment claims, personal injury, property damage, etc) Include all possible claims, whether you have filed a lawsuit or not.	Wild card Depending on the type of claim, there may be a specific exemption	
Contingent or unliquidated claims, including counterclaims, defenses and right to setoff	Wild card Depending on the type of claim, there may be a specific exemption	
Another financial assets	Wild card	
Any business or farm related property not already listed	Wild card	
Any other property	Wild card	

## Means Test

Updated 1/15/2019

Illinois Median Income by Family Size	
Household Size	Total Household Income
1	\$52,945.00
2	\$69,871.00
3	\$81,199.00
4	\$96,252.00
5	\$104,652.00
6	\$113,052.00
7	\$121,452.00
8	\$129,852.00
*Add \$8,400 for each individual in excess of 8 people	

## Chapter 7 Filing Fee Waiver Eligibility

Updated: 1/1/2020

150% of the Federal Poverty Guidelines		
Family Size	Monthly income	Yearly income
1	\$1,595.00	\$19,140.00
2	\$2,155.00	\$25,860.00
3	\$2,715.00	\$32,580.00
4	\$3,275.00	\$39,300.00
5	\$3,835.00	\$46,020.00
6	\$4,395.00	\$52,740.00
7	\$4,955.00	\$59,460.00
8	\$5,515.00	\$66,180.00
For each additional person add this amount	+ \$560.00	+\$6,720