

# GUIDE FOR INDIVIDUALS FILING WITHOUT AN ATTORNEY

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*United States  
Bankruptcy Court –  
Northern District of  
Illinois*

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## Introduction

This guide helps assist people filing a bankruptcy case without an attorney. Filing a bankruptcy case is a complex undertaking and can have serious long-term financial and legal consequences. **If the documents required in a bankruptcy case are not completed properly, or if further steps in the bankruptcy process are not taken on time, you can lose property or other important rights unnecessarily.** An attorney can be very helpful in compiling and completing all the required forms and advising you on the options available to you to ensure your rights are protected. You may be able to pay the attorney’s fees as part of the bankruptcy process. With that in mind, **you should seriously consider consulting an attorney before you file for bankruptcy.**

## Useful Resources

The following resources are available for you to consult:

- Court Website – [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov)
- Terms and Vocabulary – <http://www.ilnb.uscourts.gov/glossary-bankruptcy-terms>
- National Forms – <http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx>
- Instructions (Individuals) – <http://www.uscourts.gov/file/18169/download>
- Local Forms – <http://www.ilnb.uscourts.gov/forms/all-forms>
- Bankruptcy Basics – <http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyBasics.aspx>
- Bankruptcy Code – <http://www.law.cornell.edu/uscode/text/11>
- Bankruptcy Rules – <http://www.law.cornell.edu/rules/frbp>
- Local Rules – <http://www.ilnb.uscourts.gov/court-info/local-rules-and-orders/local-rules>

The Court website provides general information about the Court, Local Bankruptcy Rules and General Orders, Bankruptcy Forms and the Bankruptcy Judges’ calendars. **Please familiarize yourself with this information if you plan on filing without an attorney.**

## General Information

The Northern District of Illinois is comprised of two divisions, the Eastern Division (**Chicago**) and the Western Division (**Rockford**). Presently, there are 11 judges sitting in the Northern District of Illinois, ten in the Eastern Division and one in the Western Division. The bankruptcy judges hear all matters with the exception of the Meeting of Creditors.

Court Addresses			
<b>Eastern Division</b> U.S. Bankruptcy Court Dirksen Federal Building 219 South Dearborn Street Chicago, IL 60604 (312) 408-5000		<b>Western Division</b> U.S. Bankruptcy Court Stanley J. Roszkowski U.S. Courthouse 327 South Church Street Rockford, IL 61101 (815) 987-4350	
Bankruptcy Judge	Courtroom	Bankruptcy Judge	Courtroom
Chief Judge Pamela S. Hollis	644	Judge Thomas M. Lynch	3100
Judge Janet S. Baer	615		
Judge Timothy A. Barnes	744		
Judge Donald R. Cassling	619		
Judge Jacqueline P. Cox	680		
Judge Carol A. Doyle	742		
Judge A. Benjamin Goldgar	642		
Judge LaShonda A. Hunt	719		
Judge Jack B. Schmetterer	682		
Judge Deborah L. Thorne	613		

The Northern District of Illinois covers 18 counties. If your residence, principal place of business, or principal assets have been located in one or more of these counties for the past 180 days, then your case should be filed in the Northern District of Illinois. The county determines the division where the bankruptcy petition should be filed.

Eastern Division Counties	Western Division Counties
Cook, DuPage, Lake, Kane, Will, Grundy, LaSalle, and Kendall	Boone, Carroll, DeKalb, Jo Daviess, Lee, McHenry, Ogle, Stephenson, Whiteside, and Winnebago

## The Clerk's Office and Requests for Legal Advice

The Clerk's Office receives documents and filing fees from attorneys and the general public; maintains dockets and court calendars; distributes court directives, including notices, subpoenas, and summons; responds to public inquiries; and serves as a central resource of public information for the Court.

The Clerk's Office employees often get requests for information that may be characterized as "legal advice." While it is hard to say exactly what is "legal advice," the Clerk's Office employees are limited in the information they can provide. They can provide information on filing requirements and general information relating to the policies and procedures of the Clerk's Office. The Clerk's Office employees cannot provide legal advice.

## Bankruptcy Assistance Desk

The [Bankruptcy Assistance Desk](#) is available in both Western and Eastern Division courthouses.

### Eastern Division (Chicago)

**The Bankruptcy Assistance Desk is located on the 6th floor of the Dirksen Federal Building, 219 South Dearborn Street, Chicago, Illinois.**

An attorney will be available to consult with individuals Monday, Wednesday, and Friday beginning at 9:30 a.m., except for federal holidays. When the desk is closed because of a holiday, the desk will be open either Tuesday or Thursday to make up for the court holiday. **Please call 312-435-6032 and listen to the message for more information.** (These hours are subject to change if the attorney has a scheduling conflict.)

**No appointment is necessary, and you cannot make an appointment. To consult with the attorney, first go to the waiting room on the 6th floor (Room 625) to sign in. The attorney will meet with people on a first-come, first-served basis in the order they have signed in.**

The sign-in sheet fills quickly, and the attorney will see only those visitors on the sign-in sheet (generally ten people per day). You should arrive as early as possible during the Assistance Desk hours to sign in *or you will likely not be seen*. **Some visitors arrive as early as 9:00 a.m., and on very busy days, the sign-in sheet fills up even before they begin seeing visitors at 9:30 a.m.**

### Western Division (Rockford)

**The Bankruptcy Assistance Desk is located on the 1st floor of the Stanley J. Roszkowski U. S. Courthouse, 327 South Church Street, Rockford, Illinois.**

An attorney will be available to consult with individuals every Monday from 1:00 p.m. to 5:00 p.m. **by appointment only.**

To schedule an appointment, please request a form from the U.S. Bankruptcy Clerk's Public Service Counter which is located on the 1st floor of the Rockford courthouse, or call Prairie State Legal Services at 815-668-4402.

## Overview of Bankruptcy Chapters

The following is a brief summary of chapters 7, 11, 12, and 13 of the Bankruptcy Code (for a more in depth explanation please visit the Court website at [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select Filing Without an Attorney>Bankruptcy Basics).

### Chapter 7 (Liquidation)

Chapter 7 is meant for debtors in financial difficulties who do not have the ability to pay their debts. In a chapter 7 case, the debtor's nonexempt assets will be sold and the proceeds used to pay creditors. Debtors whose debts are primarily consumer debts are subject to a "Chapter 7 Statement of Current Monthly Income and Means Test" designed to determine whether the case should be permitted to proceed under chapter 7.

The primary purpose for a debtor to file under chapter 7 is to have their debts discharged. The bankruptcy discharge relieves a debtor from having to pay any of their pre-bankruptcy debts unless an exception to discharge applies to particular debts. However, if the Court finds that a debtor has committed certain kinds of improper conduct based on Bankruptcy law, the Court may deny the debtor's discharge.

You should know that even if you receive a discharge, **some debts are not dischargeable under the law**. For example, you may still be responsible to pay:

- most taxes;
- most student loans;
- domestic support and property settlement obligations;
- most fines, penalties, forfeitures, and criminal restitution obligations; and
- certain debts that are not properly listed in your bankruptcy papers.

You may also be required to pay debts arising from:

- fraud or theft;
- breach of fiduciary duty;
- intentional injuries that you inflicted; and
- death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

### Chapter 11 (Reorganization)

Chapter 11 is designed for the reorganization of a business but is also available to individual debtors. Its provisions are too complicated to summarize briefly. Any decision by an individual to file a case under chapter 11 **should be reviewed by an attorney**.

### Chapter 12 (Family Farmer or Family Fisherman)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. Eligibility for Chapter 12 is limited to people whose income arises primarily from a family-owned farm or commercial fishing operation.

### Chapter 13 (Repayment)

Chapter 13 is designed for individuals with regular income who want to pay all or part of their debts in installments over a period of time. Under chapter 13, debtors must file with the Court a plan to repay their creditors all or part of the money that they owe them, using their future earnings. The Court must approve the plan before it takes effect. Depending on income and other factors, a plan may allow repayment of debts within three years or five years.

After you make the payments under your plan, your debts are generally discharged. **However, you may still be responsible to pay:**

- domestic support obligations;
- most student loans;
- certain taxes;
- most criminal fines and restitution obligations;
- certain debts that are not properly listed in your bankruptcy papers;
- certain debts for acts that caused death or personal injury, and;
- certain long-term secured obligations.

**Most chapter 13 debtors without counsel are not successful; so debtors are urged to obtain counsel.**

## Before You File Your Bankruptcy Case

To file a bankruptcy case, you must complete the applicable Bankruptcy Forms and properly file them with the Court, along with all supporting documentation and requisite filing fees. Please refer to Official Form B 2000, Required Lists, Schedules, Statements and Fees, available as an attachment to this document, for the documents you will be required to file. The form is also available on the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Forms>National Bankruptcy Forms> B 2000](#).

### Credit Counseling

Before you file for bankruptcy, you must **receive a briefing about credit counseling from an approved agency within 180 days before you file**. If you and your spouse are filing together, each of you must receive a briefing before you file. Failure to do so will almost certainly result in the dismissal of your case. You may have a briefing about credit counseling one-on-one or in a group, by telephone, or by internet.

For a list of approved providers, please visit the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Filing Without an Attorney>Credit Counseling and Debtor Education Information](#).

After you finish the briefing, **you will receive a certificate that you will need to file in your bankruptcy case**.

### Bankruptcy Forms

Official Bankruptcy Forms and accompanying instructions are available on the Court website, [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Forms>National Bankruptcy Forms](#). **You should carefully read the instructions before completing the applicable Bankruptcy Forms and ensure you are able to gather all the requisite information.**

You must complete the applicable Bankruptcy Forms as fully and accurately as possible before filing them for your case to proceed smoothly.

- For a description of the **minimum filing requirements for a case under chapter 7**, please visit the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Filing Without an Attorney>Chapter 7 – Documents Required at Time of Filing \(Minimum Filing Requirements\)](#).
- For a description of the **minimum filing requirements for a case under chapter 13**, please visit the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Filing Without an Attorney>Chapter 13 – Documents Required at Time of Filing \(Minimum Filing Requirements\)](#).
- **For instructions on completing the voluntary petition**, please visit the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Forms>National Bankruptcy Forms>Voluntary Petition for Individual Debtors>Form Instructions](#)

### Fees

Payments should be made in cash (*exact change is required*), or by 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.** For the current schedule of fees, please check the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Fees>Schedule of Fees](#).

#### Application for Individuals to Pay the Filing Fee in Installments [Official Form 103A]

If you cannot afford to pay the full fee at the time of filing, you may apply to pay the fee in installments. The form to pay in installments can be downloaded from the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Forms>National Bankruptcy Forms>103A: Application for Individuals to Pay the Filing Fee in Installments](#).

The following are terms of the agreement:

- The full filing fee must be paid in four equal installments payments: 30, 60, 90 & 120 days;
- The first installment payment must be paid within 30 days and at least half of the filing fee must be paid within 60 days of the filing of the petition;
- The final installment payment must be payable no later than 120 days after filing the petition. **Failure to pay the filing fee in full in the time limits will result in the dismissal of your case.**

#### Application to Have the Chapter 7 Filing Fee Waived [Official Form 103B]

If you cannot afford to pay the fee at all, you may request a waiver of the filing fee by completing an Application for Waiver of the Chapter 7 Filing Fee. The fee waiver is only available if you are filing under chapter 7. The judge will decide whether you have to pay the filing fee.

The form to request a waiver can be downloaded from the Court website [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov), then select [Forms>National Bankruptcy Forms>103B: Application to Have the Chapter 7 Filing Fee Waived](#).

## After You File Your Bankruptcy Case

When you file a bankruptcy petition, the “automatic stay” goes into effect. The automatic stay stops creditors from proceeding with most collection actions against you or your property. As long as the automatic stay is in effect, creditors may not initiate or continue lawsuits, pursue wage garnishments, or even make telephone calls demanding payment, unless the Court grants them permission.

### Judge Assignment

A judge will be randomly assigned to your case after it has been filed.

### Numbering System

Upon the filing of your voluntary petition, a case number is assigned to your case. **This number must appear on all subsequent documents filed with the Court.**

### Trustee Assignment

Trustees are always assigned in cases under chapters 7, 12, and 13. The trustee’s job is different under different chapters, but generally the trustee administers the bankruptcy estate, makes sure creditors get as much money as possible, verifies the truthfulness of your papers, and objects to your discharge, if appropriate.

A chapter 7 trustee administers the case and liquidates your nonexempt assets. The trustee is selected from a panel of private trustees established by the United States Trustee.

A chapter 13 trustee serves to evaluate your plan, recommends whether your plan should be approved, and distributes plan payments to your creditors.

### Meeting of Creditors

A meeting of creditors is usually held 21 to 40 days after the case is filed. You and your creditors will receive notice of the filing of the petition and the date of the meeting of creditors. **Please read this notice carefully. It contains important information about the date, time, and location of the meeting.**

You are required to have **all** your forms, schedules and other related documents filed at a minimum of two days before the meeting. Important: You are required to submit the following materials to your trustee seven days before your meeting:

- Most recent year’s tax return
- Proof of filing of the past four years’ tax returns
- Copies of all payment advices or other evidence of payment received within 60 days before the date of filing of your petition

You need to comply with all of your trustee’s requests to ensure that your case runs smoothly.

This meeting is conducted by the trustee assigned to your case. You (and your spouse, in a joint case) must be present to be questioned under oath by the trustee and by creditors. You are required to bring to the meeting:

- Proof of identity
- Your social security card
- Evidence of current income, if you are in a chapter 13 case

**Meeting of Creditors (341 Meetings) Locations****Eastern Division****Chapter 7 Meeting Locations**

<b>Cook County</b>	<b>Du Page County</b>	<b>Kane County</b>	<b>Lake County</b>	<b>Will, LaSalle, Grundy, Kendall Counties</b>
Office of the US Trustee 219 S Dearborn St Room 800 Chicago, IL 60604 (312) 886-5785	DuPage County Courthouse 505 N County Farm Rd Room 2017 Wheaton, IL 60187	Kane County Government Center 100 S 3rd St Room 240 Geneva, IL 60134	North Branch Court (Round Lake Beach) 1792 Nicole Lane Round Lake Beach, IL 60073	Kendall County Courthouse 807 W John Street, First Floor Yorkville, IL 60560

**Chapter 13 Trustees and Meeting Locations**

<b>Cook County</b>	<b>Cook County</b>	<b>DuPage, Grundy, Kane, Kendall, Lake, LaSalle &amp; Will Counties</b>
Tom Vaughn 55 East Monroe Street Suite 3850 Chicago, IL 60603  (312) 294-5900 (	Marilyn O. Marshall 224 S. Michigan Ave. Suite 800 Chicago, IL 60604  (312) 431-1300	<b>DuPage, Grundy, Kane, Kendall, and LaSalle Counties</b> Glenn B. Stearns 801 Warrenville Road Suite 655 Lisle, IL 60532  <b>Lake County</b> Glenn B. Stearns 19th Judicial Circuit South Branch Court 105 E State Route 83 Mundelein, IL 60060  <b>Will County</b> Glenn B. Stearns Joliet City Hall 150 W Jefferson St. 2nd Floor Joliet, IL 60432

**Western Division****Chapter 7 and 13 Meeting of Creditors Locations****Boone, Carroll, DeKalb, Jo Daviess, Lee, McHenry, Ogle, Stephenson, Whiteside and Winnebago**

Chapter 7 Stewart Square Building 308 W. State St. Lower Level - Room 40 Rockford, IL 61101	Chapter 13 Lydia S. Meyer Stewart Square Building 308 West State Street Lower Level - Room 40 Rockford, IL 61101
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## Common Motions

A motion is a written request for the judge in your case to do something. Motions must be presented in court at a hearing, and debtors must provide creditors and trustees with notice of the date and time when a motion will be presented. The following is a short list of some common motions that a debtor may file. **This is not a complete list.** There are other motions a debtor can file. An attorney can be helpful in outlining what kinds of motions to pursue and how to pursue them.

### Amendments to Petition, Schedules and Statements

Petitions, schedules, and statements may be amended at any time before the case is closed. There is a filing fee for amendments to a debtor's schedules D or E/F. The Schedule of Fees can be found on the Court website at [www.ilnb.uscourts.gov](http://www.ilnb.uscourts.gov); then select Fees> Schedule of Fees.

Examples of amendments that require a fee include the following:

- Adding creditors
- Deleting creditors
- Changing the amount specified as being owed to a creditor
- Changing a classification of a debt

A fee is not charged when the amendment is to change the address of a listed creditor. This can be done by letter.

The debtor must serve copies of amendments by mailing them to all creditors and the trustee. In a chapter 11 case, the debtor must also serve copies of amendments on the United States Trustee and any official committee of unsecured creditors. Proof of such service must be filed with the bankruptcy court.

In addition, if the debtor adds any creditors to the schedules after the first notice of the meeting of creditors, the debtor must serve each additional creditor by first-class or certified mail with a copy of the original notice of the meeting of creditors, and must file a proof of such service with the bankruptcy court.

Any amendments to a debtor's schedules should be clearly labeled "**Amended**" and indicate what is being amended, i.e. **Adding Creditors**.

If the case has been closed, you must file a motion to reopen case and pay the applicable filing fee before an amendment can be filed.

### Conversions

Bankruptcy cases can be converted from one chapter to another. Conversion from chapter 13 to chapter 7 is permitted if the debtor files a **Notice of Conversion** and pays the required filing fee.

All other conversion requests must be made by filing a motion. The filing fee is required when the order is entered.

### Reopening a Case

When a bankruptcy case is over, the case is "closed." Cases under different chapters close at different times. A chapter 13 case usually closes when the debtor completes requirements under a plan and receives a discharge. A chapter 7 case usually closes when the debtor receives a discharge and any available assets have been liquidated or otherwise disposed of by the trustee. Even though a bankruptcy case is closed, a debtor, trustee, or creditor may want the court to hear motions and enter orders in that bankruptcy case. If so, it is necessary to file a **Motion to Reopen Bankruptcy Case**.

In most situations, a filing fee is required, and the fee will differ in a chapter 7, 11, or 13 case. The judge will generally rule on whether to grant the Motion to Reopen before considering any motion you wish to file once the case is reopened.

## Additional Resources

### Public Access Computer Terminals

Terminals are available in Chicago – Room 710 and Rockford – Room 1100 to access online case information. There is no charge to view cases online at the courthouse. However, there is ten cents per page charge for printing paper copies of documents through public access terminals.

### The Multi-Court Voice Case Information System (McVCIS)

The Multi-Court Voice Case Information System (McVCIS) provides the public a means of automatically obtaining the most commonly requested case information. This voice case information system can be accessed from any touch tone telephone around-the-clock, 365 days per year, except for the time needed to update and maintain the system.

To Access McVCIS and obtain information concerning Northern District of Illinois Bankruptcy Court cases and adversary proceedings follow the following steps:

- Dial Toll Free 1-866-222-8029
- You will then be asked to select a bankruptcy court district, press #15 or say Illinois Northern
- For instructions on using the system, press 1
- To search by case number, press 2
- To search by a participant's name, press 3
- To search by a debtor's social security or tax ID number, press 4

#### General Information Available

- Case number
- Name(s) of debtor(s), or principal party(ies)
- Date the case was filed
- Whether a voluntary or involuntary petition was filed
- Chapter under which the petition was filed
- Name and phone number of the debtor's attorney
- Trustee's name
- Name of the assigned Judge
- Discharge or closing dates
- Whether there are assets in the case
- 341(a) meeting date, time, and location
- Case status
- Case disposition

Note: Docket information is **NOT** available with this system

If you need assistance with a specific case and cannot obtain the information through our website or McVCIS, please call the Customer Service Information line at Chicago – (312) 408-5000 and Rockford – (815) 987-4350. Or you can see any of our customer service representatives at the public counters for assistance.

## *Attachments*

### ***B 2000 – Required Lists, Schedules, Statements and Fees***

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