

SO YOU'RE FILING AN INDIVIDUAL CHAPTER 7: THINGS THAT WILL CATCH ATTENTION

PANELISTS

BEVERLY BASS, MUNSCH HARDT KOPF & HARR, P.C., AUSTIN, TX

SHANE P. TOBIN, TRIAL ATTORNEY, OFFICE OF THE UNITED STATES TRUSTEE,
AUSTIN, TX¹

* DISCLAIMER: This material does not constitute the official position of the author or of any court and should not be construed as an indication of future rulings involving the Small Business Reorganization Act of 2019.

¹ Any views expressed are those of the speaker and do not necessarily represent the views of and should not be attributable to the United States Trustee Program or the U.S. Department of Justice.

1

DEBTOR'S BASIC DUTIES

-
- 11 U.S.C. § 521.
 - Federal Rules of Bankruptcy Procedure 1007 and 4002.



2

INITIAL DOCUMENTS

3

FILINGS WITH THE PETITION

- **Along with the petition, debtor must file:**
 - The list of creditors to be included on Schedules D, E, F, G and H (Fed. R. Bankr. P. 1007(c)).
 - The certificate of credit counseling, certification of exigent circumstances or request for a waiver of the requirement under section 109(h) (Fed. R. Bankr. P. 1007(c)).
 - The statement of Social Security number or that the debtor does not have one (Fed. R. Bankr. P. 1007(f)).

4

WITHIN 14 DAYS OF FILING THE PETITION

- On the petition date, or within 14 days of filing the petition, the debtor must file
 - Schedules A through J (11 U.S.C. §§ 521(a)(1)(B)(i), (v) (vi); 707(b)(2)(C); Fed. R. Bankr. P. 1007(c)).
 - Statement of Financial Affairs (11 U.S.C. § 521(a)(1)(B)(iii); Fed. R. Bankr. P. 1007(c)).
 - Copies of payment advices or other evidence of payment received within 60 days prior to the date the petition was filed from any employer of the debtor. (11 U.S.C. § 521(a)(1)(B)(iv); Fed. R. Bankr. P. 1007(c)).
 - The debtor's interest in an education individual retirement account or qualified state tuition program (11 U.S.C. § 521(c)).

5

OTHER REQUIRED FILINGS

- Notice under section 342. (11 U.S.C. § 521(a)(1)(iii)).
- Within 30 days of the petition date, the debtor must file a statement of intention with respect to debts secured by property of the estate (11 U.S.C. § 521(a)(2))

6

Find the full text of this and thousands of other resources from leading experts in dozens of legal practice areas in the [UT Law CLE eLibrary \(utcle.org/elibrary\)](https://utcle.org/elibrary)

Title search: So You're Filing an Individual Chapter 7: Things that Will Catch Attention

First appeared as part of the conference materials for the
2024 Consumer Bankruptcy Practice session

"So You're Filing an Individual Chapter 7: Things that Will Catch Attention"