

# **UNITED STATES BANKRUPTCY COURT**

Central District of California



## **CHAPTER 11**

## **PETITION FORMS**

**November 2011**

# Chapter 11 Petition Package Index

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## Chapter 11 Petition Forms

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- Statement Regarding Assistance of Non-Attorney with Respect to the Filing of Bankruptcy Case
- Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (Official Form B6)
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## ABBREVIATED FEE SCHEDULE<sup>1</sup>

### EFFECTIVE 11/1/11

The Bankruptcy Court will accept cash, U. S. Postal Service money orders, cashier's checks issued by an acceptable financial institution, attorney or law firm checks (payable to the U.S. Bankruptcy Court) and American Express, Discover, MasterCard, and VISA for payment of fees. Credit card transactions must be made in person by the cardholder; however, this does not apply to electronically filed documents. The Court does not accept personal checks or credit cards from debtors to pay fees. All attorney/law firm checks must include a current pre-printed name, street address, telephone number, and California attorney bar number. Please do not send cash through the mail. The current fees for filing documents with the Bankruptcy Court are as follows:

<b>New Petition:</b>	Chapter 7	\$ 306.00
	Chapter 9	\$1,046.00
	Chapter 11	\$1,046.00
	Chapter 12 (Family Farmer)	\$ 246.00
	Chapter 13	\$ 281.00
	Chapter 15	\$1,046.00
<b>Case Reopening:<sup>2</sup></b>	Chapter 7	\$ 260.00
	Chapter 9	\$ 1,000.00
	Chapter 11	\$1,000.00
	Chapter 12	\$ 200.00
	Chapter 13	\$ 235.00
	Chapter 15	\$ 1,000.00
<b>Case Conversions:</b>	Chapter 7 to Chapter 13	None
	Chapter 7 to Chapter 11	\$ 755.00
	Chapter 11 to Chapter 7	\$ 15.00
	Chapter 12 to Chapter 7	\$ 60.00
	Chapter 13 to Chapter 11	\$ 765.00
	Chapter 13 to Chapter 7	\$ 25.00
<b>Amendments:</b>	Schedules "D" "E" "F"	\$ 30.00
	Master Mailing List (exceptions listed in "Miscellaneous Fee Schedule")	\$ 30.00
<b>Motions:</b>	Motion to Compel Abandonment of Property	\$ 176.00
	Motion to Terminate, Annul, Modify, or Condition the Automatic Stay	\$ 176.00
	Motion to Withdraw Reference	\$ 176.00
<b>Other:</b>	Abstract of Judgment	\$ 9.00
	Appeal*	\$ 298.00
	Certification	\$ 11.00
	Complaint (Adversary Proceeding)	\$ 293.00
	Cross-Appeal*	\$ 298.00
	Exemplification	\$ 21.00
	Filing or Indexing of Miscellaneous Paper	\$ 46.00
	Issuance of Out of District Subpoena	\$ 46.00
	Photocopies Made by Court Personnel (per page)	\$ 0.50
	Printed Copies from Courthouse Public Terminal (per page)	\$ 0.10
	Registration of Judgment from Another District	\$ 46.00
	Reproduction of Audio Recording (regardless of the medium)	\$ 30.00
	Retrieval of Archived File	\$ 53.00
	Returned Check Charge	\$ 53.00
	Search of Court Records (each name/item searched)	\$ 30.00

1. Issued in accordance with 28 U.S.C. § 1930(b) and FRBP 1006.

2. The Court collects this fee unless the reopening is to correct an administrative error or for actions related to the debtor's discharge.

\* If the Court of Appeals authorizes a direct appeal, or direct cross appeal, an **additional fee of \$157.00** will be collected by the bankruptcy clerk.

# Order of Documents - Chapter 11

- An original and three copies are required at the time of filing.
- Papers must be assembled into complete sets.
- Pursuant to Federal Rule of Bankruptcy Procedure (FRBP) 1007-1 and Court Manual Section 2-1(d) (3), even if certain of the schedules or statements of Official Forms 6 (Schedules A through J) and 7 (Statement of Financial Affairs) are not applicable to a debtor's particular situation, they shall still be filed with either the notation "None" marked thereon or the applicable box checked indicating that there is nothing to report for that particular schedule or statement.
- The first set must be the signed original.
- Pursuant to Local Bankruptcy Rule (LBR) 1002-1, papers presented to the Court for filing or lodging must be on white, letter size (8-1/2 x 11 inches), single-sided, medium weight paper.

## 1. Petition documents shall be in the following order:

- (A)\* Statement of Social Security-Number(s) (or Other Individual Taxpayer-Identification Number (ITIN)) (required for individual debtors only, not corporations or partnerships)
- (B)\* Voluntary Petition (first three pages)
- (C) Electronic Filing Declaration (electronically filed petition only)
- (D) Exhibit "A" to Petition (if debtor is a corporation)
- (E) Exhibit "C" to Voluntary Petition (if Exhibit "C" "yes" box is checked on page two of the Voluntary Petition)
- (F) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (**Counseling usually MUST be obtained BEFORE filing, even if certificate is filed later**)
- (G) Corporate Resolution Authorizing Filing of the Petition (if debtor is a corporation)
- (H) Corporate Ownership Statement as specified in LBR 1007 - 4 [required for corporations that are not a governmental unit]
- (I)\* List of Creditors Holding 20 Largest Unsecured Claims
- (J) List of Equity Security Holders (for corporations or partnerships), if not included on Master Mailing List. Must follow the same format as Master Mailing List
- (K) Venue Disclosure Form for Corporations Filing Chapter 11 (Official Form VEN-C) (if debtor is a corporation) or Venue Disclosure Form for Partnerships Filing Chapter 11 (Official Form VEN-P) (if debtor is a partnership)
- (L) Statement of Related Cases [required by LBR 1015-2(b)]
- (M) Notice of Available Chapters [required for individuals whose debts are primarily consumer debts [11 U.S.C. §342(b)]]

### \* Required at the time of filing

- (N) Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (Official Form B6)
- (O) Schedules A through J (for corporations, A, B, D through H only)
- (P) Declaration Concerning Debtor's Schedules (Official Form B6 - Declaration)
- (Q) Statement of Financial Affairs (Official Form 7)
- (R) Disclosure of Compensation of Attorney for Debtor (for petitions of persons who are represented by legal counsel or where an attorney has prepared the paperwork) (Official Form B203)
- (S) Statement Regarding Assistance of Non-Attorney with Respect to the Filing of Bankruptcy Case (for persons not represented by counsel)
- (T) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer, if applicable (Official Form B19, page 1)
- (U) Notice to Debtor by Non-Attorney "Bankruptcy Petition Preparer," if applicable (Official Form B19, page 2)
- (V) Disclosure of Compensation of Bankruptcy Petition Preparer (for persons not represented by counsel and where a bankruptcy petition preparer prepared the paperwork)
- (W) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition. If the debtor(s) was self-employed or unemployed during the 60 days prior to the filing of the petition, the debtor(s) should certify this fact and use the optional form *Debtor's Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv)* to do so. This form can also be used to attach payment advices (pay stubs)
- (X) Statement of Current Monthly Income (Official Form B22B) (required if the debtor is an individual)
- (Y) Verification of Creditor Mailing List [LBR 1007-1(d)]
- (Z)\* Master Mailing List (in format required by the Court Manual, Section 2-3)

**2. To be filed along with the petition, but as separate documents:**

- (A) Certificate of Credit Counseling or a motion for determination by the court of any election to Exhibit D to the petition
- (B) Debt Repayment Plan, if one is prepared by credit counselor (required if the debtor is an individual)
- (C) Computer Readable CD-ROM of Master Mailing List (required for petition with over 100 creditors) [LBR 1007-1(a)]

**\*Required at the time of filing**

# Master Mailing List Requirements

Pursuant to Local Bankruptcy Rule (LBR) 1007-1, the mailing lists for new bankruptcy petitions must be submitted in the following format:

1. Typed on **blank**, unlined, standard white 8-1/2 x 11 inch bond paper using **uppercase** and **lowercase** letter quality characters no smaller than **10 point** nor greater than **14 point** in either Arial, Courier, Times New Roman, or Helvetica.
2. Typed in a single column with no letters closer than 1-1/2 inches from any edge of the paper and left justified.
3. Typed with no more than **8 name/address blocks per page**. Each block must consist of no more than **4 lines total for each** name/address with at least **2 blank lines in between**.
4. Include a **FIRST PAGE** reserved only for: **Debtor, Joint Debtor, Attorney for Debtor(s), Office of the United States Trustee**. (See *Exhibit 1*.) All subsequent pages contain the remaining creditors from Schedules D, E, and F of the petition.
5. Each line must be no more than **35 characters in length** including spaces. The **attention line**, if any, must be included on the **second line** of the block. **DO NOT INCLUDE ACCOUNT NUMBERS**. The **city, state (2-letter abbreviation in capital letters only, e.g., CA), and zip code** must be on the **last line**. Nine-digit zip codes should be separated by a hyphen. (See *Exhibit 2*.)
6. Contains **NO PUNCTUATION**, except for one comma between city and state (for example, Los Angeles, CA 90012).
7. **Provide page number on the back of each page.**
8. If a separate Equity Holders List is filed, it must comply with the above format requirements.
9. For petitions with **more than 100 creditors**, the printed Master Mailing List and, if applicable, the printed Equity Holders List must be submitted along with a **non-returnable computer readable CM-ROM** of all entities. Technical requirements for the CD-ROM are listed in *Exhibit 3*.

# ***Exhibit 1***

## **Example of First Page of Master Mailing List**

Debtor Name  
Mailing Address  
City, State (2-letter abbreviation) Zip Code

Spouse of Debtor (if appropriate)  
Mailing Address  
City, State Zip Code

Attorney of Debtor  
Mailing Address  
Suite Number  
City, State Zip Code

United States Trustee  
Address\*  
City, State Zip Code

\*See *Appendix C* of the Court Manual for U.S. Trustee addresses required by LBR 2002-2.

## ***Exhibit 2***

### **Format for List of Creditors**

Acme Auto Repair  
1234 S Street  
Los Angeles, CA 90005

Acme Hair Repair  
Attn Herman  
1234 S Ave  
Los Angeles, CA 90005-0001

Acme Dental Clinic  
745 Tungsten Boulevard  
Hollywood, CA 90027

Internal Revenue Service  
Address\*  
City, State Zip Code

Acme Talent Agency  
421 N Copper Canyon Way  
Burbank, CA 91505-0002

Loans By Acme  
7485 Chromium Circle  
Beverly Hills, CA 90210

Acme And Sons Insurance  
Attn D Acme  
13363 Hierro Street Suite 25  
Van Nuys, CA 91401

Acme Bar and Grill  
114 Aluminum Alley  
Chatsworth, CA 91313

\*See *Appendix D* of the Court Manual for Internal Revenue Service addresses required by LBR 2002-2(c).



## ***Exhibit 3***

### **Technical Requirements for Compact Disc (CD-Rom) (100 or more creditors)**

For cases with more than 100 creditors that are not electronically filed, the printed creditor matrix must be submitted along with a non-returnable computer-compatible data storage media containing the names and addresses of all entities shown in Schedules D, E, and F of the petition. The media must meet the following requirements:

- PC-compatible virus-free data storage media such as a CD-ROM.
- Labeled with case name and number.
- Text in ASCII-readable format. File name must be "Creditor.TXT."
- No page breaks, miscellaneous characters, or other computer instructions are to be included in text.
- Names and addresses of Debtor, Joint Debtor, Attorney for Debtor(s), and the Office of the United States Trustee are **specifically to be excluded from CD-ROM contents but must still be submitted on the printed copy.**