

**United States Bankruptcy Court
Central District of California**



**CHAPTER 7 AND 13
VOLUNTARY PETITION
PROCEDURES**

APRIL 2006

CHAPTER 7 AND 13 VOLUNTARY PETITION PROCEDURES

A. Overview

WARNING! If a judgment has been issued against the debtor for possession of the debtor's residence, **STOP!** this petition must be submitted at the Intake window of the appropriate division.

NOTE: Any tax documents that are part of the petition, will need to be submitted at the Intake window of the division in which that case is/will be filed. DO NOT INCLUDE THESE TYPE OF DOCUMENTS WITH THE ELECTRONIC PETITION,

Chapter 7 and 13 Voluntary Petitions submitted through *eFile* will be filed in the appropriate divisional office based on the debtor's address information provided in the electronic petition. Motions to extend the time to file schedules cannot be filed electronically and must be filed at the Intake window of the divisional office in which the case is pending.

The first three pages of the electronic petition mirror the Voluntary Petition Form B1 (Official Form 1). You will need to complete all three pages, then print and review them for accuracy. Since the electronic version of the petition will become an official document, any changes made to the printed version of the petition must also be made to the electronic version prior to submission for filing.

An Electronic Filing Declaration is required when electronically filing a petition. If the debtor is an individual(s), an *Electronic Filing Declaration of Debtor(s)* must be signed by the debtor(s). If the debtor type is "corporation" or "partnership," an *Electronic Filing Declaration of Authorized Signatory of Debtor* must be signed by the debtor's authorized signatory. The applicable Electronic Filing Declaration is required when electronically filing a petition. (Each version of the declaration will be subsequently referred to in these procedures as "Electronic Filing Declaration.")

The attorney must sign an *Electronic Filing Declaration of Attorney for Debtor(s)*, which is also required when electronically filing a petition. Both versions of the Electronic Filing Declaration include the *Electronic Filing Declaration of Attorney for Debtor(s)* and can be downloaded from the Procedures (Petitions) area of the *eFile* home page.

The submission of an electronic voluntary petition should include three separate files:

1. A Portable Document Format (PDF) file containing the signed applicable version of the Electronic Filing Declaration and *Electronic Filing Declaration of Attorney for Debtor(s)*.

2. A PDF file containing the schedules, statements, a plan (if filing under chapter 13), the *Statement of Intention* (if filing under chapter 7), the *Verification of Creditor Mailing List* and any extraneous documents to be submitted with the petition. Additionally, the following documents are required to be submitted by individual debtor(s) pursuant to the new Bankruptcy Legislation and should be submitted as part of the schedules PDF:
 - (a) Copies of employee Income Record
 - (b) Certificate of Credit Counseling or Exigent Circumstances
 - (c) Statement of Current Monthly Income and Means Test Calculation Chapter 7 - Form B22A; or
Statement of Current Monthly Income & Disposable Income Calculation Chapter 13 - Form B22C
 - (d) A debt repayment plan.
3. The Master Mailing List in Text ASCII-readable format (see Section B below).

NOTE: If using Adobe Acrobat version 6.0 (or higher) to create your PDF files, you must reduce the version to 4.0 or 5.0. The combined PDFs and .TXT file size may not exceed 2.5 megabytes.

Do not include the *Statement of Social Security Number(s) (Form B21)* in any of your PDF attachments. Instead, the form must be maintained with the hard copy of the petition, schedules, and statements as attested to in the *Electronic Filing Declaration of Attorney for Debtor(s)*.

Other “personal identifiers” (i.e., financial account numbers, social security numbers, dates of birth, and names of minor children) must also be redacted from all documents filed with the Court. **It is the responsibility of the filer, not the Clerk’s Office, to redact all personal identifiers.** Please refer to the Privacy Policy which can be found on the Judiciary Privacy Policy Page at <www.privacy.uscourts.gov> under “Privacy Policy.”

NOTE: If the information you provided when registering for *eFile* has changed, it is important that you update your registration prior to filing. Allow 15 minutes from the time your registration is updated until you log back in to *eFile*. (Refer to the “Update Registration” section of the *eFile* Registration Procedures for further instructions.)

B. Creditor File (Master Mailing List)

1. Preparation of the Creditor File

You will need to prepare a Master Mailing List and save it in Text ASCII-

readable format (“Creditor File”) **regardless of the number of creditors**. A diskette is not required for cases containing more than 100 creditors.

The Creditor File must meet the following criteria:

NOTE: Do not use all upper-case letters for the creditor(s) name and address when preparing the mailing list, except as listed on item “d” on page 2.

- a. The file name must start with the debtor’s name and end with the extension “.TXT” (*for example:* “John Doe.TXT”).
- b. No page breaks, miscellaneous characters, or other computer instructions are to be included in the text.
- c. Each name/address block of a *domestic* address must consist of no more than **4 lines total** and no less than **two**.
- d. The “Attn:” 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**. If you are providing a zip + 4 code, the original 5-digit zip code and the 4-digit add-on code must be separated by a hyphen.
- e. Each name/address block of an *international* address must consist of no more than **5 lines total** and **must contain the country on the last line**.
- f. There must be at least **2 blank lines between** name/address blocks.
- g. Each address line must be no more than **35 characters in length**, including spaces.
- h. Use a comma to separate the city and state (*for example:* Los Angeles, CA 90012).
- i. **DO NOT INCLUDE** names and addresses of Debtor, Joint Debtor, Attorney for Debtor(s), and the Office of the United States Trustee in the file.

IMPORTANT NOTE: If the debtor’s mailing address differs from the residential address, the program will automatically add the mailing address to the creditor file after the .TXT file is uploaded.

NOTE: Do not include the name and address of the debtor(s), attorney for debtor(s) or Office of US Trustee in the file; and a copy of the Master Mailing List in the Schedules PDF file, as an image of the Master Mailing List will be created from the .TXT file.

2. Address Format

a. Domestic

(1) **Example 1:** Acme Auto Repair
1234 S. Street
Los Angeles, CA 90005

(2) **Example 2:** Acme Hair Repair
Attn: Herman
1234 S. Avenue
Los Angeles, CA 90005-0001

b. International

(1) **Example 1:** Alexander Trent
19 Barratt Avenue
Wood Green N. 22 London
England

(2) **Example 2:** Jill Spencer Agency
12 Highbury Corner
London
EC1Y 8SY
Great Britain

C. To eFile a New Petition

1. From the *eFile* Main Menu, select ***Voluntary Petition Chapter 7*** or ***Voluntary Petition Chapter 13*** from the drop-down Filing Options menu. The electronic Voluntary Petition will appear on the screen. **If filing chapter 13, go to step 3.**
2. From the Processing Instructions (**applies to chapter 7 only**) choose one of the following three options:
 - a. Single petition (not to be included in batch filing): Select this option if you are only filing one petition.
 - b. Petition to be included in batch filing: Select this option for each petition submitted in a batch except the last petition.

NOTE: Select batch filing to schedule 2-5 petitions filed in the same divisional office for the same 341(a) meeting date and time (when scheduling permits). (Northern Division petitions must be batched by county, i.e., petitions for Ventura County must be in a separate batch, San Luis Obispo County must be in a separate batch, and Santa Barbara County must be in a separate batch.)

- c. **Last petition in batch filing:** Select this option to notify *eFile* that you have completed a batch. If you complete a batch without selecting this option, you will need to contact the *eFile* Support Center to notify them that your batch is complete.

NOTE: Petitions **must be** submitted **prior to** 12:00 a.m. (midnight) Pacific Time on the same day in order to be included as part of the same batch. You may submit as many petitions as you like; however, we can only attempt to schedule batches of five for the same 341(a) meeting date and time slot.

3. Click on ***Add/Edit*** in the “Name of Debtor” field, and a pop-up box will open.

NOTE: Do not use all upper-case letters for the debtor(s) name and address information.

4. Individual Name Format:

Do not enter titles such as Mr., Mrs., or Ms. in the generational suffix field. If a title is part of an individual’s legal name, enter the title in the first name field. Middle names may **only** be entered in the first name field.

- a. ***Example 1:*** The debtor’s name is “Gina E. St. James.”

First name field:	Gina
Middle Initial field:	E
Last Name field:	St. James
Generational Suffix field:	(leave blank)

- b. ***Example 2:*** The debtor’s name is “Sean Paul Von Furstenburg, Jr.”

First name field:	Sean
Middle Initial field:	P
Last Name field:	Vonfurstenburg
Generational Suffix field:	Jr.

or

First name field: Sean Paul
Middle Initial field: (leave blank)
Last Name field: Vonfurstenburg
Generational Suffix field: Jr.

- c. **Example 3:** The debtor's name is "Mary Smith-McBride."

First name field: Mary
Middle Initial field: (leave blank)
Last name field: Smith-McBride
Generational Suffix field: (leave blank)

- d. **Example 4:** The debtor's name is "E. Drew O'Neal, II."

First name field: E. Drew
Middle Initial field: (leave blank)
Last Name field: O'neal
Generational Suffix field: II

NOTE: You may click on **Save Draft & Exit** at any time while completing the petition if you would like to save it and return to it at a later time. **The system will time-out after 30 minutes of inactivity and your petition will be automatically saved in INCOMPLETE DOCUMENTS.** A message confirming that the draft has been saved will be displayed. You can access **INCOMPLETE DOCUMENTS** from the *eFile* Main Menu.

5. Business Name Format:

- a. **Example 1:** If a name begins with "The," omit the word "The."

The debtor's name is "The Ancient Tea Company."

Business name field: Ancient Tea Company

- b. **Example 2:** The debtor's name is "O'Hara's Service Shop."

Business name field: O'Hara's Service Shop

- c. **Example 3:** The debtor's name is "J.P. Sheffield & Sons, Inc."

Business name field: J.P. Sheffield & Sons, Inc.

Enter professional/business names that contain part of an individual's name using the business name format.

11. If the debtor is an individual, the mailing address fields will automatically populate with the debtor's street address. For business debtors, (**applies to chapter 7 only**) both the mailing address fields and location of principal assets address fields will automatically populate with the debtor's street address. Review, and if necessary, edit the information entered.
12. If there is a joint debtor, the street and mailing address will automatically populate with the debtor's street address; however, the "State" field will be empty. Once a state is entered in the joint debtor's street address, the same state will appear in the mailing address "State" field. Review, and if necessary, edit the information entered.
13. Enter the **county of residence or the principal place of business**. If there is a joint debtor, verify the information in this field and make any necessary changes.
14. If the location of principal assets of a business debtor should be used to determine eligibility for filing within the Central District of California, check the applicable box (**applies to chapter 7 only**).
15. Complete the following fields:
 - a. Type of debtor. For chapter 7 petitions, the primary selection defaults to either individual or corporation based on the debtor name format chosen. You may change the selection to partnership if applicable. The primary selection defaults to individual for chapter 13.
 - b. Nature of Business (check all applicable boxes).
 - c. Nature of Debts (check only one box).
 - d. Statistical/Administrative Information (check only one box).
 - e. Estimated Number of Creditors (check only one box).
 - f. Estimated Assets (check only one box).
 - g. Estimated Debts (check only one box).
16. To continue to the next tab, click on **Continue** located at the bottom of the screen.
17. Prior and Pending Bankruptcy Cases (filed within last 8 years).

NOTE: Press **<Tab>** to advance through the "Prior" and "Pending" case fields.

- a. If the debtor has filed a prior bankruptcy case within the last eight years, enter ***the district and the state where the bankruptcy case was filed***. For cases filed in the Central District of California, select the ***divisional office where the case was filed*** from the drop-down menu. Enter the ***case number followed by the two letters that indicate the judge*** (for example: 02-99999 AA). Select ***Outside of District*** for all other locations and enter the ***case number*** and the ***date the case was filed***. If the debtor has not filed a prior bankruptcy case within the last eight years, enter ***None*** in the “Location Where Filed” field.
 - b. If the debtor has a spouse, partner or affiliate with a pending bankruptcy case, ***enter the name of the debtor with the pending case***. For cases filed in the Central District of California, select the ***divisional office where the case was filed*** from the drop-down menu. Enter the ***case number followed by the two letters that indicate the judge*** (for example: 02-77777 AA). Select ***Outside of District*** for all other locations and enter the ***case number***. Complete the following fields: ***date filed, district*** and ***relationship***. If no case is pending for the debtor’s spouse, a partner or affiliate, enter ***None*** in the “Name of Debtor” field under Pending Bankruptcy Case.
18. Check the applicable box to electronically sign Exhibit “B” (as indicated by “/s/,” followed by your name) if the debtor is an individual with primarily consumer debts.
 19. Check the applicable box regarding Exhibit “C.”
 20. Check the applicable box regarding the certification concerning debt counseling by individual/joint debtor. **Applies to Chapter 7 and 13 individuals with consumer debts only.**
 21. Venue (check any applicable box).
 22. Check all applicable signature boxes to affix “/s/,” followed by the signer’s name, on page 2 and 3 of the petition as required. If filing under chapter 7 and the debtor is a corporation or partnership, type the name and title of the authorized individual who will sign the petition on behalf of the debtor in the appropriate fields before checking the signature box.
 23. Verify the information you have provided on all pages of the petition and make any necessary changes. Click on ***Print Petition for Signature***, which will open Adobe Acrobat and display a PDF version of the petition.

NOTE: If Adobe Acrobat does not open and you are using software that blocks pop-up boxes, you will need to disable the pop-up blocker in order to proceed.

Click on the **printer icon** to print the petition pages and the applicable Electronic Filing Declaration. If more than one alias name and/or Social Security Numbers (SSN) or Employee Identification Numbers (EIN) are listed for the debtor(s), a list with this information will be printed on an additional page. Review the information on the petition. If you find any errors on the printed petition, you must correct them on the electronic petition and reprint the petition.

NOTE: Any handwritten changes made to the printed version of the petition will not be reflected on the electronic version of the petition, which will become part of the official case records once you submit it for filing.

24. Click on **Save Draft & Exit**.
25. Assemble all other documents you will be filing with the petition (e.g., schedules, *Statement of Financial Affairs*, if filing under chapter 13, the *Chapter 13 Plan*, *Verification of Creditor Mailing List*, and any other required/applicable attachments, but **do not include** the *Master Mailing List*).
26. Have the debtor(s) review and sign a true and correct hard copy of the petition, schedules, statements, if filing under chapter 13, the plan, and any other required/applicable attachments (“schedules and statements”) being filed electronically. You must maintain the executed originals of these documents, along with the *Statement of Social Security Number(s)* (Form B21), for a period of five years after the closing of the bankruptcy case in which they are filed.
27. Affix “/s/,” followed by the signer’s name, on the schedules and statements being filed electronically in each location where the hard copy was signed.
28. Depending on which chapter you are filing, place the schedules and statements in the order listed on page 13, “Order of Documents for Chapter 7/13 Schedules PDF File.” Scan the documents in this order and save them as a single PDF file.

NOTE: If using Adobe Acrobat version 6.0 (or higher) to create your PDF files, you must reduce the version to 4.0 or 5.0. The combined PDFs and .TXT file size may not exceed 2.5 megabytes.

29. Obtain the signature(s) of the debtor(s) or the authorized signatory of debtor on the applicable Electronic Filing Declaration and sign the *Electronic Filing Declaration of Attorney for Debtor(s)*. You must maintain the executed originals of these documents for a period of five years after the closing of the bankruptcy case in which they are filed.

NOTE: The debtor(s) or the authorized signatory of debtor **must** sign the applicable Electronic Filing Declaration, or **the petition will be rejected**. Any other documents missing signatures, as indicated by “/s/,” followed by the signer’s name, will be considered deficient.

30. Scan and save the Declarations as a single PDF file which should consist of one page only. **Do not include any other documents in this file.**
31. Once the PDF file is prepared, return to the petition
32. Click on **Browse** to locate the PDF file of the applicable Electronic Filing Declaration and *Electronic Filing Declaration of Attorney for Debtor(s)* on your computer. **Prior to uploading the Declaration, view the PDF file to verify that the Declaration applies to the debtor(s).**
33. Click on **Continue** to upload the file. (If for any reason you would like to remove the PDF file you uploaded, click on **Delete Declarations PDF File.**)
34. Fill in the start page numbers of the documents in the PDF file of the schedules and statements. (You can either click in each box or press **<Tab>** to enter the page number.) The number in the “Pages” column reflects the total number of pages in each document and is automatically calculated based on the start page number entered. The documents in the Schedules PDF file must be in the order listed on the screen.
 - a. **Example 1:** If the first page of the PDF file is the *Notice of Available Chapters*, you must enter **1** as the start page number. (See red box in Figure 1 below.)

Schedules PDF			
No	Document Description	Start Page Number	Pages
1	Exhibit "C"		
2	Corporate Resolution Authorizing Filing		
3	Statement of Related Cases	<input type="text"/>	<input type="text"/>
4	Notice of Available Chapters	<input type="text" value="1"/>	<input type="text" value="1"/>
5	Summary of Schedules	<input type="text" value="2"/>	<input type="text" value="1"/>
6	Schedule A	<input type="text" value="3"/>	<input type="text" value="1"/>

Figure 1

- b. Example 2:** If Schedule B contains three pages and starts on page 5, enter 8 as the start page number of Schedule C. (See red box in Figure 2 below.)

Schedules PDF			
No	Document Description	Start Page Number	Pages
1	Exhibit "C"		
2	Statement of Related Cases	1	1
3	Notice of Available Chapters	2	1
4	Summary of Schedules	3	1
5	Schedule A	4	1
6	Schedule B	5	3
7	Schedule C	8	1

Figure 2

The total number of pages in the PDF file **must match** the total number of pages listed on the Document Description ("Schedules" tab).

35. Click on **Browse** to locate the Schedules PDF file on your computer, then click on **Continue** to upload the file.
 36. Verify that the correct PDF file was uploaded. (If for any reason you would like to remove the PDF file you uploaded, click on **Delete Schedules PDF File**.) Click on **Continue** to go to the next screen.
 37. Click on **Browse** to locate the .TXT Creditor File, then click on **Continue** to upload the file.
 38. Click on **Continue** to allow the system to confirm that the Creditor File is in the correct format. The Creditor Address Editor will open during the confirmation process and will display formatting errors. You must fix these errors, if any, on the screen before you can proceed. If the Creditor Address Editor finds numerous formatting errors in the text file, you may want to cancel the process and correct, then resubmit, the text file.
- NOTE:** If the Creditor Address Editor does not open and you are using software that blocks pop-up boxes, you will need to disable the pop-up blocker in order to proceed.
39. Once confirmation of the Creditor File format has been completed, you will see a message that indicates how many creditor addresses were found in the

file. Make sure this number matches the total number of creditors indicated on the Master Mailing List.

40. Click on **OK** and the list of the creditors in the text file be displayed. Review the list of creditors for completeness and accuracy. If you need to modify the Creditor File, click on **Delete Creditor File**. Upload the text file after you have made the necessary corrections. **REMINDER:** If the debtor's mailing address differs from the residential address, the program will automatically add the mailing address to the creditor file after the .TXT file is uploaded.
41. Click on **Submit Petition** to submit the petition for filing (if you indicated that the petition is either part of or the last petition in a batch filing (**applies to chapter 7 only**), a dialog box message will appear asking you to confirm your processing instructions). The applicable filing fee for a chapter 7 or chapter 13 petition will be deducted from your credit card and "reserved." If the petition is rejected or withdrawn (deleted), the reserved amount will be credited back to your credit card within 15 to 20 days. It may take a few minutes to complete the petition submission process. A message confirming the submission will appear. Print and save the confirmation for future reference.

NOTE: Please contact the *eFile* Support Center to confirm the submission of your petition if you do not receive a confirmation notice with a Transaction ID Number.

42. After the petition has been processed by the *eFile* Administrator and accepted for filing, you will receive a confirmation e-mail with a link to the conformed PDF copy of the electronically filed petition. One e-mail containing a separate link for each petition will be sent for batch filings (**applies to chapter 7 only**). Click on the link to view and print the petition. If you are not already logged into *eFile*, you will be prompted to do so.

The first page of the petition no longer displays the case number, Judge/Trustee/341 meeting information. You can access this information by logging into *eFile* and clicking on **RECEIPTS** located below **DOCUMENT HISTORY** on the *eFile* Main Menu.

If you are unable to retrieve and print the petition using the link in the e-mail, return to the *eFile* Main Menu. Click on **DOCUMENT HISTORY**, then **Filed**. Locate the document using the Transaction ID number from the e-mail. (It can also be found in the message confirming your submission.) Double-click on the **Transaction ID** to retrieve the petition.

If the petition is incorrect or defective, contact the *eFile* Support Center at (213) 894-2365, Monday through Friday, 9:00 a.m. to 4:00 p.m., (excluding federal holidays), for further instructions.

Order of Documents for Chapter 7/13 Schedules PDF File	
No.	Document
1	Exhibit "C"
2	Corporate Resolution Authorizing Filing - (Required for corporations)
3	Statement of Related Cases
4	Notice of Available Chapters - (Not required for corporations)
5	Summary of Schedules
6	Schedule A
7	Schedule B
8	Schedule C - (Not required for corporations)
9	Schedule D
10	Schedule E
11	Schedule F
12	Schedule G
13	Schedule H
14	Schedule I - (Not required for corporations)
15	Schedule J - (Not required for corporations)
16	Declaration Concerning Debtor's Schedules
17	Statement of Financial Affairs
18	Chapter 7 Individual Debtor's Statement of Intention - (Not required for corporations)
19	Chapter 13 Plan
20	Disclosure of Compensation of Attorney for Debtor
21	Declaration Re: Limited Scope of Appearance - (Chapter 7 consumer debts only)
22	Verification of Creditor Mailing List
23	Rights and Responsibilities Agreement - (Chapter 13 only - optional)
24	Statement of Current Monthly Income & Means Test Calculation - (Chapter 7 consumer debts only - Form B22A) Statement of Current Monthly Income & Disposable Income Calculation - (Chapter 13 consumer debts only - Form B22C)
25	Employee Income Record
26	Certificate of Credit Counseling or Certificate of "Exigent Circumstances" that warrant waiver - (Chapter 7 and 13 individual and joint debtors only)
27	Debtor Repayment Plan, if any - (Chapter 7 and 13 individual and joint debtors only)
28	Extraneous Documents