

I. INTRODUCTION

This package was prepared in response to frequent requests for Official Bankruptcy Forms and case filing information. It contains the basic Official Forms and certain locally required forms necessary to initiate a bankruptcy case in the U.S. Bankruptcy Court for the Eastern District of California. It is not designed or intended as a "Do-It-Yourself" bankruptcy manual. It does not contain instructions on how to handle a bankruptcy proceeding without legal representation and should not be used as a substitute for the advice of an attorney.

While you have the right to represent yourself in the bankruptcy court, the Bankruptcy Code, Federal Rules of Bankruptcy Procedure and Local Rules of Practice are very complex. Mistakes can be costly and most non-attorneys are not sufficiently knowledgeable in the law to successfully represent themselves. Individuals filing bankruptcy without legal representation are responsible for knowing the requirements of the Bankruptcy Code and rules and will be given no special consideration by the Court. Missing a deadline, failing to perform a required act, or failing to properly respond to an action may result in dismissal of your case, denial of your discharge, or the loss of property which you might otherwise be entitled to keep. Every person contemplating the filing a bankruptcy petition should, therefore, seriously consider seeking the advice of competent legal counsel.

Please be advised that Clerk's Office staff is prohibited by law from giving legal advice. General information about bankruptcy, as well as answers to frequently asked questions, may be found in the companion booklets to this package entitled "*Information For Persons Considering Bankruptcy*," prepared by the Clerk's Office, and "*Bankruptcy Basics*," a publication of the Bankruptcy Judges' Division of the Administrative Office of the United States Courts. "*Information for Persons Considering Bankruptcy*" contains answers to questions frequently asked Clerk's Office staff by non-lawyers; "Bankruptcy Basics" provides a basic explanation of the different chapters under which a bankruptcy case may be filed and answers commonly asked questions about the bankruptcy process. Copies of both booklets, and as well as the Local Rules of Practice, are available free of charge on our Internet web site (located at www.caeb.uscourts.gov) and at the Bankruptcy Clerk's offices located in Sacramento, Modesto and Fresno. If you have a question that is not answered by the information in this package or the "*Information For Persons Considering Bankruptcy*" or "*Bankruptcy Basics*" booklets, and the question goes beyond an explanation of filing requirements and would not be answered by hearing the text of a rule or statute without comment, it probably requires the giving of legal advice and will not be answered by Clerk's Office staff.

WARNING: BANKRUPTCY FRAUD IS A SERIOUS FEDERAL CRIME. SEE TITLE 18, UNITED STATES CODE, SECTIONS 152 THROUGH 155 (18 U.S.C. §§ 152 - 155). PUNISHMENT CAN BE UP TO FIVE YEARS IN PRISON AND A FINE OF \$25,000. THE FBI INVESTIGATES ALLEGATIONS OF BANKRUPTCY FRAUD. WHEN IN DOUBT ABOUT WHETHER AN ASSET OF FACT NEEDS TO BE DISCLOSED, OR IF YOU DON'T KNOW IF WHAT YOU INTEND TO DO IS LEGAL, CONSULT AN ATTORNEY FOR ADVICE.

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