

Now That You've Filed Chapter 7

1. Can I keep any credit cards?

NO. While your bankruptcy case is open, you cannot acquire new debt. In addition, most credit card companies may close your account, even if you had a zero balance at the time of your filing.

2. When will my creditors get notification of my bankruptcy?

As part of the filing, the bankruptcy court will mail your creditors a notification within a week or so of the filing to all the creditor addresses shown in your filed paperwork.

3. Creditors keep calling me; what can I do?

Give them your case number.

4. What is the Meeting of Creditors (aka 341 Meeting)?

This meeting is required by the bankruptcy code. The purpose is for the trustee to review your information and for your creditors to ask questions (creditors rarely appear). You must appear, testify under oath and respond to the trustee's questions to the best of your ability.

5. When is the Meeting of Creditors?

You will receive a letter from bankruptcy court about your hearing date and time. Our office has no control over the date or time. Your meeting will be approximately 20 to 40 days after today's date.

6. Where is the Meeting of Creditors?

At the Federal Building in Oakland: 1301 Clay Street, North Tower, Room 680 N. It is BART accessible and there is paid parking nearby.

7. What do I have to take with me?

You MUST take BOTH items: 1. valid Driver's License or California ID
2. your Social Security Card

You must call our office if you do not have either of the above.

8. Do I or my spouse have to attend?

You MUST attend. If you BOTH filed, then you BOTH must attend. If you do not attend, the trustee's office may file a motion to dismiss your case.

9. Will my attorney be present?

YES. If a scheduling conflict occurs, your attorney will notify you and have competent bankruptcy counsel appear on his behalf.

10. Will my attorney speak on my behalf?

NO; however, he is there to assist you.

11. What happens if I miss my Meeting of Creditors?

The court will continue the meeting to another date. Again, our office has no control over the date or time. You will be responsible for additional attorney's fees, as the attorney must now attend two meeting of creditors instead of only one.

12. Will I have to take anymore classes?

YES. You must take a Personal Financial Management class (post-bankruptcy class). Give our office your certificate(s). We recommend www.a247class.com. The deadline is 45 days of the first date set for the meeting of creditors. If you fail to provide our office with the certificate(s), the court may close out your case and not enter your discharge. You will then have to pay \$560 to reopen your case.

13. When will I receive my Discharge?

You will receive a discharge approximately 3 months after your meeting of creditors – and only after you take your Personal Financial Management (post-bankruptcy) class.

14. Why am I no longer receiving statements for my mortgage or car loans?

Post-petition you will not receive statements. Unless you are going to surrender your home or car, you should continue making your payments as you do before (same due date, same mailing address) regardless whether you receive a statement. Once your discharge is entered, you will receive statements again.

15. How long will bankruptcy be on my credit record?

Up to 10 years. You should obtain a credit report within a year and verify that your pre-petition debts are showing “*discharged in bankruptcy*.” If they are not, you should dispute the debts directly with the credit reporting agency.

16. What is a reaffirmation agreement?

Occasionally, the creditor will want you to sign a reaffirmation agreement which is a contract that you sign after you file a Chapter 7 that legally binds you to the original terms of the contract (usually) and will survive your Bankruptcy as if you had never filed. You don't have to sign it, as it will put you back on the hook as if you have never filed a bankruptcy (i.e., you can be sued, garnished etc. if you default on your reaffirmation).

Directions to Federal Building (Meeting of Creditors aka 341 meeting)

1301 Clay Street, Suite 680N
(parking garages nearby)

From Walnut Creek

1. Take 24 to Hwy 980 /Downtown Oakland.
2. Take the 14th Street Exit and turn left on 14th St.
3. Turn right on Jefferson Street for parking garage
(Clay Street is one block over.)

From Hayward

1. Take HWY 880 North.
2. Take the Broadway Exit and stay on Sixth Street.
3. Turn right on Jefferson Street for parking garage
(Clay Street is one block over.)

From Richmond

1. Take 80 West to HWY 580 Hayward.
2. Take HWY 980 towards Downtown Oakland.
2. Take the 14th Street Exit and turn left on 14th St.
3. Turn right on Jefferson Street for parking garage
(Clay Street is one block over.)