



U.S. Department of Justice
Office of the United States Trustee

*Northern and Southern Districts of Indiana
Central and Southern Districts of Illinois*

401 Main Street
Suite 1100
Peoria, Illinois 61602

Phone: 309 / 671-7854
Fax: 309 / 671-7857

ATTENTION DEBTORS WITHOUT AN ATTORNEY

SOME DEBTORS HAVE BEEN VICTIMIZED by unscrupulous practices on the part of those who assisted them in preparing their bankruptcy petitions. Sometimes these fraudulent petition preparers claim to be affiliated with religious groups, non-profit or charitable organizations or even the government. Occasionally, they represent themselves to be attorneys or affiliated with attorneys. Once they gain their victims' trust, they may demand an excessively large sum of money to file a bankruptcy case. In many instances they direct victims to pay mortgage or rent payments over to them and then fail to pay the money to the creditors. Some victims have even been persuaded to transfer ownership of their home, only to find themselves evicted shortly thereafter. Alternatively, a debtor may be inadvertently drawn into a fraudulent scheme where their schedules are falsified to include property that does not belong to the debtor.

FEDERAL LAW REQUIRES all non-lawyers who assist debtors in the preparation of bankruptcy petitions to: (1) sign the bankruptcy documents; (2) provide their names, addresses, and social security numbers; (3) have debtors review all documents before they are signed; and (4) disclose any fees they have been paid or are still owed.

FEDERAL LAW PROHIBITS petition preparers from: (1) providing legal advice; (2) signing their clients' names on documents; (3) collecting or receiving court filing fees; and (4) using the word "legal" in their advertisements.

Petition preparers who violate this law may be subject to fines, penalties and even payment of damages to the debtor of \$2,000 or more. Also, if the petition preparer charged more than the value of the services rendered, the court may order some or all of the money refunded.

Attached is a statement for you to complete and sign before you meet with your case trustee. Please make certain that your answers are as complete and accurate as possible. Your answers will help the case trustee and the United States Trustee to protect your rights as a debtor.

DECLARATION OF DEBTOR WITHOUT AN ATTORNEY

Your Name: _____ Case #: _____
Current Address: _____ Telephone #: _____

Please, CIRCLE your response to the “YES / NO” questions:

1. I paid someone to assist me in preparing my bankruptcy documents. YES / NO
If “No,” skip the rest of the questions. Read the **Declaration** * and sign and date this document.
2. Who prepared your bankruptcy petition? Name of Person _____
Company: _____ Telephone #: _____
Address: _____
3. Amount paid (include all amounts paid, except filing fee): \$_____ Date of payment: ___/___/___
 - a. Did you make any of these payments after your bankruptcy petition was filed? YES / NO
If yes, how much did you pay **after** the filing date? \$_____
 - b. Do you still owe any money to the petition preparer? YES / NO If yes, how much? \$_____
 - c. Did you also pay the preparer the Bankruptcy Court filing fee? YES / NO
If yes, amount paid for the filing fee \$_____ and was it paid by: (circle one)
money order / cashier’s check / cash / or other (please describe) _____
Was payment made payable to the United States Bankruptcy Court? YES / NO
 - d. Were you given a receipt for the monies that you paid? YES / NO
4. I was given a copy of the petition and schedules before they were filed with the Court. YES / NO
5. I signed my own name on the petition and schedules. YES / NO
6. I was directed to say that I had no assistance in preparing my documents. YES / NO
7. At any time did the petition preparer say or indicate that he/she was an attorney or working with an attorney? YES / NO If working with an attorney, who? _____
8. The person who assisted me: (a.) explained what an exemption was. YES / NO
(b.) helped me with my exemptions. YES / NO
(c.) decided what property to claim as exempt. YES / NO
9. The person who assisted me explained the difference between Chapter 7 and Chapter 13. YES / NO
10. I was directed to put false information on my bankruptcy documents. YES / NO
The false information is: _____
11. I completed questions 1-10 above with the help of the bankruptcy petition preparer or someone from the preparer’s company. YES / NO

***Declaration: I declare under penalty of perjury that the foregoing is true and correct.**

SIGNATURE: _____ DATE: _____