

ATTACHMENT A

NOTICE TO ALL DEBTORS
READ THIS BEFORE YOU FILE YOUR CASE!

Did you (and your spouse, if preparing to file a joint petition) obtain a briefing (also called credit counseling) that outlined the opportunities for available credit counseling and assisted you in performing a related budget analysis within the last 180 days from a United States Trustee-approved nonprofit budget and credit counseling agency? See [11 U.S.C. § 109\(h\)\(1\)](#) (section 109(h)(1) of the Bankruptcy Code (title 11, U.S. Code), a copy of which may be examined on the Clerk's Website.

See [Obtaining Credit Counseling](#) below for information regarding obtaining such credit counseling.

WARNING REGARDING CONSEQUENCES OF NOT HAVING OBTAINED SUCH CREDIT COUNSELING: If you have not completed such credit counseling before you file your petition (and no earlier than 180 days before you file your petition) and you do not meet the requirements for an extension to complete the credit counseling after filing (or for being exempted from being required to obtain such a credit counseling), your case will be dismissed and you will not receive a discharge of your debts. In some cases, you may not be allowed to file another case for 180 days. Even, if you file another case within one year after your first case was dismissed, your protection under the Bankruptcy Code's automatic stay from your creditors may be limited to thirty (30) days after filing the new case.

Under the bankruptcy laws (see [11 U.S.C. § 109\(h\)\(3\)](#)), the Court can only allow you to complete the credit counseling **after filing** if you meet **all** of the following conditions.]:

- 1) You must have requested the required credit counseling from an approved nonprofit budget and credit counseling agency, but were unable to obtain the required services during the 5-day period beginning on the date on which you made that request; and
- 2) There are exigent (emergency) circumstances that the court determines merit a waiver of the requirement of obtaining the credit counseling before filing the case; and
- 3) You must file a certification stating the facts regarding the conditions listed above in paragraphs (1) and (2) with your petition, and the certification must be satisfactory to the court.

Please be advised - most debtors will not be able to meet these conditions because credit counseling is readily available in this

District.

The decision to file your petition is up to you, but if you file without having obtained credit counseling, you are risking dismissal of your case. The Clerk (and the judge and his chambers staff) cannot provide legal advice or predict in advance how a judge will decide your request for an extension to complete this requirement.

Obtaining Credit Counseling. To locate an approved agency that can provide you pre-bankruptcy credit counseling, obtain from the Clerk's Office a list of U.S. Trustee approved credit counseling agencies or go to the U.S. Trustee website listed below:

www.usdoj.gov/ust/eo/bapcpa/ccde/CC_Files/CC_Approved_Agencies_HTM/ML/cc_iowa/cc_iowa.htm

Some things to bear in mind:

- You may conduct the counseling on a computer. If you don't have a computer, your public library may allow you use of their computers. You may also obtain the counseling by telephone, or in person.
- Be sure you take credit counseling from a U.S. Trustee approved credit counseling agency and that you make clear to that agency that you need the counseling for purposes of filing a bankruptcy case.
- Ask the credit counseling agency for a certificate describing the credit counseling services provided to you, and a copy of any debt repayment plan developed through the agency. You will need to file those in your bankruptcy case. [See [11 U.S.C. 521\(b\)](#).]
- The safest way to be sure you got the required type of credit counseling is to obtain a certificate before you file your bankruptcy case. The certificate should be on a form like the [Example of Credit Counseling Certificate](#).
- Be sure that your certificate reflects that you got your credit counseling within 180 days before you file your petition. If you got the credit counseling more than 180 days ago, that credit counseling is too old and will not satisfy the statutory requirement.
- If you obtained so-called debtor education from an approved debtor education provider, that is not the same thing as pre-petition credit counseling.

Note: *There are exemptions from this requirement available for*

persons who are mentally ill, disabled or on military duty in an active combat zone. [See [11 U.S.C. § 109\(h\)\(4\)](#)]

Example of Credit Counseling Certificate

Certificate Number: 01267-DC-CC-003096744

CERTIFICATE OF COUNSELING

I CERTIFY that on December 30, 2007, at 3:53 o'clock PM CST,

Yvonne H Fendall received from

Money Management International, Inc.,

an agency approved pursuant to 11 U.S.C. § 111 to provide credit counseling in the

District of Columbia, an individual [or group] briefing that complied

with the provisions of 11 U.S.C. §§ 109(h) and 111.

A debt repayment plan was not prepared. If a debt repayment plan was prepared, a copy of the debt repayment plan is attached to this certificate.

This counseling session was conducted by telephone.

Date: December 30, 2007

By /s/Kevin Hollemans

Name Kevin Hollemans

Title Phone Counselor

* Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).