



## ***Common Causes for Dismissal Pertaining to Debtor Responsibilities/Deadlines in a Bankruptcy Case***

**Failure to Obtain Credit Counseling** - Credit counseling must be completed by each individual consumer debtor within 180 days before filing for bankruptcy through an Approved Credit Counseling Agency. The U.S. Trustee's Office listing of Approved Credit Counseling Agencies for the Southern District of California is available at the following website: [www.casb.uscourts.gov](http://www.casb.uscourts.gov).

**Failure to File Complete Schedules, Statements and Chapter 13 Plan** - Regardless of chapter, certain schedules must be completed and filed with the petition or within 14 days of filing the petition.

**Failure to Pay Filing Fees** - Be prepared to pay the required Filing Fee in full at the time you file the petition. Filing Fees can be found at [www.casb.uscourts.gov](http://www.casb.uscourts.gov). Fees must be paid in cash (exact change only), cashiers check or money orders. (Personal checks will not be accepted).

It is possible to make payments in installments using Form CSD 1006. If a fee is to be paid in installments, you must be an individual and must submit a signed application for the Court to consider. The signed application must state that you are unable to pay the filing fee, except in installments. If you are unable to pay the filing fee, and are intending to file under chapter 7, you may file an Application for Waiver of the filing fee, Form CSD 1020. To be eligible for a waiver of the filing fee, you must show to the Court that you are unable to pay in installments and that your income is less than 150 percent of the Poverty Guidelines.

**Failure to File Means Test** - Chapter 7 individual debtor(s) must file Form 122A-1, the Statement of Current Monthly Income (CMI) and Means Test Calculation, with their bankruptcy petition. The Bankruptcy Code applies a "means test" to determine whether an individual debtor's chapter 7 filing is presumed to be an abuse of the law, requiring dismissal or conversion of the case. The debtor(s) may rebut a presumption of abuse only by a showing of special circumstances that justify additional expenses or adjustments of current monthly income.

**Failure to File Statement of Social Security Number (Form 121)** – Individual debtor(s) must provide the Statement of Social Security at the time of filing.

**Failure to Attend the Meeting of Creditors** - The debtor is required to be in attendance at the Meeting of Creditors (Section 341(a) Meeting) to give the trustee and/or creditors an opportunity to examine the debtor under oath concerning property and financial affairs.

**Failure to Make Chapter 13 Payments** - Payments to the trustee must be made in a timely manner as outlined in the Chapter 13 Plan.