

Caution: Before Proceeding without an Attorney in Bankruptcy Court

An individual may file for bankruptcy or appear as a creditor in the bankruptcy court “pro se” or without an attorney. However, the rules and laws governing bankruptcy are complicated and proceeding without legal advice can result in unintended financial and legal consequences. Legal advice about filing for bankruptcy, or about an existing case or proceeding, can only be obtained by a licensed attorney. Paralegals, petition preparers, and people offering typing services are prohibited from giving legal advice. Likewise, **all bankruptcy court employees are prohibited from giving legal advice.**

Please see the following examples of legal advice that cannot be given by court employees.

The court staff cannot:

- Tell you whether you should file for bankruptcy or what chapter to file
- Tell you whether filing any motion or adversary proceeding is in your best interest
- Explain the meaning of a particular statute or rule
- Perform legal research for you, including giving names or citations to case law, code sections, or statutes
- Give an interpretation of case law, rule, or statute
- Help you complete forms
- Give an opinion about a possible result from taking or not taking a particular action
- Tell you who should receive notice to constitute proper notice
- Recommend phrasing, specific language or content to use in paperwork
- Tell someone what to say in court
- Tell someone whether a particular debt will, or has been discharged
- Give an opinion as to arguments made in pleadings or possible outcomes
- Provide advice on the best procedure to accomplish a particular goal
- Advise about whether the automatic stay will stop a particular action

Should you need legal advice, referrals can be made to a Bar Association Legal Referral Service in your area.