

BE READY FOR YOUR TELEPHONE FIRST MEETING OF CREDITORS

The Bankruptcy Code requires you to appear and be examined under oath and on the record by the Chapter 13 Trustee or her representative. This is known as a first meeting of creditors or a section 341 meeting. Due to the Covid-19 pandemic, your meeting will be conducted by telephone. Your attorney will work with you to ensure that this meeting can occur. The following information will help you prepare for the meeting.

Proof of identification and social security number: Your attorney will ask you to provide or will help you create electronic images of a photo identification document and of a document that is proof of your social security number. Your attorney will upload these images to a secure portal. Consult with your attorney to determine what documents can be provided for this purpose. If you provide the copies to your attorney, make sure that the images are fully legible. If you cannot read the images, the Trustee will not be able to read the images and will not be able to conclude your meeting.

Signed 341 Statement Under Penalty of Perjury. Your attorney will provide you with and assist you with completing this two-page statement. Please make sure that you answer all questions on the statement and sign the statement. Your attorney will upload the statement to a secure portal or mail the statement to the Trustee. You must make sure that the statement is provided to the Trustee prior to the meeting. If the Trustee does not have the statement at the time of the meeting, the meeting will not be conducted and will be continued to another day. You should keep a copy of this statement and have it with you during your meeting.

Appearing by telephone. The Clerk of the Bankruptcy Court will send you a notice that contains the number you need to call and the date and time to call for your meeting. There are normally many cases set at the same time so there will be many people on the phone line for the hearing.

- Do not use a speakerphone or headphone
- If you and your spouse filed a case together, do not share a phone. You must each have your own phone.
- Speak loudly and clearly. The hearings are recorded and the recorder must be able to pick up your testimony.
- Keep your phone on mute when the Trustee is not hearing your case.
- When the Trustee concludes your case and starts the next case, you may end the call.

What to expect during your meeting. The Trustee or her representative will call all the cases on the docket to see who is on the phone line, then make some short announcements. When your case is called, the Trustee will ask you to state your name then ask you to swear that your testimony will be truthful (you may affirm.) You will be asked to verify that you are the person who signed the bankruptcy petition and who signed the two page statement under penalty of perjury. The Trustee will recite for the record the documents you provided as your identification and proof of social security number and will ask your attorney to verify your identity. The Trustee will then ask you to verify the information on your two page statement under penalty of perjury (including the six questions at the end with "yes" or "no" answers) and may ask you other questions. If one or more of your creditors appear at the hearing, they will also be allowed to ask you questions.