

NAPSA Monthly Scam Forum Resources Regarding Bankruptcy Process

- **US Bankruptcy Court**
 - Includes basic description, federal court finder, fees, forms, credit counseling and debtor education information, explanation of the differences between Chapter 7 and 13 filing.
 - <https://www.uscourts.gov/services-forms/bankruptcy>
 - General information on types and process
 - <https://www.justice.gov/ust/bankruptcy-information-sheet-0>
 - All individual bankruptcy filers are required to complete pre-bankruptcy credit counseling and pre-discharge debtor education.
 - Acts of fraud cannot be discharged in bankruptcy.
 - Only credit counseling organizations and debtor education course providers approved by the [U.S. Trustee Program](#) may issue certificates.
- **US Trustee list of NGO's approved to do consumer credit counseling/debtor education assistance**
 - If a credit counseling agency insists on getting personal information or money before giving information about their services, that is a red flag.
 - <https://www.justice.gov/ust/list-credit-counseling-agencies-approved-pursuant-11-usc-111>
 - Includes filters by state and languages offered.
- **Tips From US Bankruptcy Court website:**
 - Filing for bankruptcy can help a person by legally discharging debt or making a legal plan to repay debts. A bankruptcy case normally begins when the debtor files a petition with the bankruptcy court. A petition may be filed by an individual, by spouses together, or by a corporation or other entity.
 - There are different types of bankruptcies, which are usually referred to by their chapter in the U.S. Bankruptcy Code. Individuals may file [Chapter 7](#) or [Chapter 13](#) bankruptcy, depending on the specifics of their situation.
 - <https://www.uscourts.gov/services-forms/bankruptcy>
- **Federal Tax Implications- Important to consult with a tax professional**

- According to the IRS, generally, when a debt owed to another person or entity is canceled, the amount canceled or forgiven is considered income that is taxed to the person owing the debt.
- If a debt is canceled under a bankruptcy proceeding, the amount canceled isn't income. However, the canceled debt reduces other tax benefits to which the debtor would otherwise be entitled.
- <https://www.irs.gov/publications/p908>

Articles of Interest/Help:

Consumer Financial Protection Bureau

- What is Credit Counseling
<https://www.consumerfinance.gov/ask-cfpb/what-is-credit-counseling-en-1451/>
- Difference between credit counseling and debt relief/settlement?
<https://www.consumerfinance.gov/ask-cfpb/whats-the-difference-between-a-credit-counselor-and-a-debt-settlement-or-debt-relief-company-en-1449/>
- What are debt settlement relief companies, and should I use one?
<https://www.consumerfinance.gov/ask-cfpb/what-are-debt-settlementdebt-relief-services-and-should-i-use-them-en-1457/>
- Dealing with Debt During the Pandemic- Tips to Help Ease the Impact
<https://www.consumerfinance.gov/about-us/blog/coronavirus-and-dealing-debt-tips-help-ease-impact/>

Federal Trade Commission- Fixing Your Credit FAQ's

- <https://consumer.ftc.gov/articles/fixing-your-credit-faqs>

Nolo Press: Bankruptcy is an option for seniors with debt, but not always best option

- <https://www.nolo.com/legal-encyclopedia/senior-citizens-bankruptcy-should-elderly-file.html>

Justia:

- Elderly People Filing For Bankruptcy & Legal Concerns
<https://www.justia.com/bankruptcy/bankruptcy-for-the-elderly/>
- Foreclosure Legal Issues Related to Bankruptcy
<https://www.justia.com/bankruptcy/foreclosure-and-bankruptcy/>

Finding a Reputable Bankruptcy Attorney is Encouraged

- American Bar Association's Legal Help website
 - https://www.americanbar.org/groups/legal_services/flh-home/
- Legal Services Corporation (Legal Aid, consumer law clinics)
 - <https://www.lsc.gov/>
- <https://www.Lawhelp.org>