

Warning to Individuals Considering Filing for Bankruptcy

If you are thinking about filing a bankruptcy petition without the assistance of an attorney (also known as “pro se”), you should consider the following before filing:

- You must meet the statutory credit counseling requirement before filing your bankruptcy petition.
- You need to determine whether your income is above or below the amount subject to garnishment or is immune from garnishment, and whether your other assets can or cannot be seized by creditors. *See* Md. Comm. Law § 15-601.1.
- If you are considering bankruptcy because you face a foreclosure on real property, there may be other ways of avoiding foreclosure. Foreclosure resources are available on the Court’s website under the debtor information section.
- If you previously filed a bankruptcy case that was dismissed:
 - Determine whether the order dismissing your last case barred you from filing a new case for a period of time.
 - Your right to have the automatic stay in place throughout your case will be affected if a prior case was pending during the year before you file your new case.
 - A discharge in a previous case may make you ineligible to receive a discharge in a later case.
 - You may be denied a discharge in a Chapter 7 case if you engaged in certain conduct preceding the bankruptcy case, such as transferring property to avoid creditors.
- Be aware that not all debts can be discharged in bankruptcy.

If you are still considering filing for bankruptcy pro se, you should review the eligibility requirements for each chapter and be aware of the requirements imposed after filing. More information on the filing process and how to find an attorney can be found on the Court’s website (www.mdb.uscourts.gov).