Pro Bono Chapter 7 Attorney Checklist

Southern District of Florida

The BBA vets applicants and connects clients with volunteer lawyers. Use this checklist to evaluate and handle a straightforward individual Chapter 7 case.

Accepting a case and evaluating the filing

☐ Complete conflicts review and a written engagement. Confirm scope, expenses, available insurance coverage, and debtor-counsel duties under Local Rule 9010-2, including attending the § 341 meeting with the debtor and appearing on any reaffirmation agreement.

☐ Confirm eligibility to appear: membership in good standing in the S.D. Fla. district bar and CM/ECF registered-user status, or pro hac vice admission with local counsel. Once an appearance is made, withdrawal requires leave of court absent a permitted substitution.

☐ Identify the client's objective and alternatives. Verify venue and the correct division, prior filings, discharge eligibility, repeat-filer stay issues, and any urgent collection event.

☐ Review the BBA application, interview the client, and investigate inconsistencies. Program eligibility does not establish that Chapter 7 is appropriate.

☐ Consult a mentor on nonexempt assets, recent moves, homestead or entireties issues, family repayments/transfers and other potentially avoidable transfers, taxes/support, operating businesses, or fraud allegations.

Collect and analyze

☐ Verify identity and SSN securely. Collect six full calendar months of income records, current pay and benefits, household contributions, and applicable spouse information.

☐ Obtain filed tax returns, refund information, all bank and other financial account records, titles, liens/payoffs, asset values, debt notices, litigation papers, and a realistic budget.

☐ Ask about cash, apps/crypto, deposits, refunds, insurance value, retirement, business interests, claims including unfiled claims against third parties such as personal injury claims, inheritances, joint property, transfers, and family debts.

☐ Prepare Form 122A using filing-date data. Review household size, exclusions, and the need for Form 122A-2 or a supplement. Reconcile with Schedules I and J.

☐ Determine governing exemption law under § 522(b)(3): the state where the debtor was domiciled for the 730 days before filing, or, if domicile changed, the state of domicile for the greater part of the 180 days preceding that 730-day period. Check the § 522(p) cap on homestead value acquired within 1215 days before filing. Analyze each asset's ownership, equity, and protection, and document exemptions before filing.

☐ Resolve secured-property intentions, affordability, and retention risks with the client; consult mentor on reaffirmation/redemption.

Complete and review the filing package

☐ Confirm approved credit counseling completed by EACH debtor within 180 days before filing, absent a valid exception; obtain certificate and required plan.

☐ Prepare Form 101; restricted Form 121; matrix and verification; Summary, Schedules A/B-J and declaration; Form 107; applicable Forms 108 and 122A. Add Schedule J-2 if needed.

☐ Prepare the local form Declaration Regarding Payment Advices, which an individual debtor must file by the Rule 1007(c) deadline even if no payment advices were received in the 60 days before filing; attach copies of any advices with all but the last four digits of the SSN redacted. Prepare the compensation disclosure showing actual pro bono terms and the applicable § 342(b) notice.

☐ Arrange fee payment, installments (103A), or eligible waiver request (103B). Pro bono status does not automatically waive costs. These applications may be considered without a hearing if the filing carries the bold “Relief Requested Without a Hearing” bulletin and a proposed order is uploaded immediately after filing.

☐ Review each answer with the client and update petition-date facts. Under Local Rule 5005-2, obtain the debtor's wet ink signature no later than 14 days after filing a document bearing an electronic signature, and retain it for at least five years after the later of discharge, dismissal, or conclusion of all appeals.

☐ Conform all filings to local formatting rules: text-searchable PDF, one-inch margins, 12-point font, double spacing except for permitted single-spaced text, the prescribed caption identifying the division and judge's initials, and a signature block showing firm, bar number, address, email, telephone, and the party represented.

After filing through completion

Use the actual docket, notices, orders, and trustee instructions to calculate and track deadlines. A continued meeting does not ordinarily restart deadlines measured from the first date set.

Immediately after filing

☐ Review notice, docket, and deficiencies. Calendar any Rule 1007 documents and Rule 2016(b) disclosure not filed initially (ordinarily 14 days). A case may be dismissed without further hearing for failure to cure a missing § 109(h) credit counseling certification after notice and an opportunity to cure, so address extensions promptly; an extension motion may be decided without a hearing if the requested deadline is no later than seven days before the § 341 meeting.

☐ Calendar Form 108 deadline: 30 days after filing or by § 341, whichever earlier; performance ordinarily 30 days after first meeting date. Separately calendar § 521(a)(6): for purchase-money personal property the debtor must reaffirm or redeem within 45 days after the first § 341 meeting, or the stay terminates and the property leaves the estate absent a timely trustee motion.

☐ Send client the case number, meeting instructions, next steps, and early instructions for the separate postpetition financial-management course.

Prepare for and attend the trustee meeting

☐ Read the trustee request and securely send ID/SSN and financial records by the specified deadline. UST guidance generally calls for 14 days before § 341, unless otherwise requested.

☐ Provide qualifying most recent filed federal return/transcript at least 7 days before first § 341 date; address nonexistence or statutory exception and additional trustee requests.

☐ Obtain account statements covering petition date; reconcile balances and address errors by proper amendments/service. Never publicly file full ID/SSN or tax records as a routine production step.

☐ Meet with debtor; review schedules and likely questions. Confirm Zoom, ID, interpreter arrangements, and attendance of both joint debtors. Attend meeting; track continuances and follow-up.

Obtain discharge and complete remaining work

☐ Confirm provider notification or file the statement of completion of the personal financial management course on the applicable official form, ordinarily within 60 days after the FIRST date set for § 341. If it is not filed within 45 days after that date, the clerk will warn that the case will close without a discharge; a closed case may be reopened without a fee to file the certificate, and that motion may be decided without a hearing.

☐ Resolve secured debt. Reaffirmation must be made before discharge and ordinarily filed within 60 days after first § 341 date. Evaluate certification, affordability, and rescission rights.

☐ Monitor exemption objections (ordinarily 30 days after the meeting CONCLUDES or the relevant amendment, whichever later; the trustee may object to a fraudulently claimed exemption until one year after closing), discharge and § 523(c) complaints (ordinarily 60 days after the FIRST date set), and any § 707(b) abuse motion (same 60-day period).

☐ Complete trustee requests and required amendments. When filing or amending Schedules D or E/F other than with the petition, file the local form Debtor's Notice of Compliance; when an amendment adds a creditor or changes a creditor's name or address, serve the § 341 meeting notice containing the debtor's complete SSN on those creditors and file a certificate of service. Serve notice of any amended exemption claim and of the objection deadline on the trustee, all creditors, and indenture trustees. Consult a mentor on contested issues and comply with continuing representation duties.

☐ Review discharge order and surviving debts/liens with client; supply final papers. Monitor remaining administration and closing; preserve signature records.

☐ Tell client to report undisclosed assets, claims, and potential § 541(a)(5) inheritances, divorce-related property interests, or life-insurance benefits arising within 180 days after filing; a supplemental schedule must be filed within 14 days after the debtor learns of the interest, and that duty continues after the case closes.

Authority: 11 U.S.C. §§ 109, 521, 522, 524, 541, 707, 727; Rules 1007, 1017, 2016, 4002-4004, 4007-4008, 5009, 9006, 9037; S.D. Fla. Local Rules 1002-2, 1007-1, 1009-1, 1017-1, 2003-1, 4001-3, 4003-1, 4004-1, 4007-1, 5005-2, 5010-1, 9004-1, 9010-1, 9010-2, 9011-1, 9013-2. Verify current rules, official forms, filing-date data, dollar amounts (which adjust periodically), exceptions, and extension requirements. This attorney practice aid should be used with the BBA primer. Reviewed October 28, 2026. Resources: bbasdfl.org/pro-bono/ / flsb.uscourts.gov/local-rules / justice.gov/ust/means-testing / justice.gov/ust/moc