

Certification of Financial Management Course for Debtor

<u>Procedure Date:</u> 5/8/2013	<u>Official/Local Form:</u> Official Form B23	<u>Rules/Code Sections:</u> 11 U.S.C. § 727(a)(11) 11 U.S.C. § 1328(g)(1) 11 U.S.C. § 111
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How to Process

↑
 FRBP 1007(b)(7)
 FRBP 1007(c)

Click the boxes below to navigate to the appropriate section

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The certificate may also be filed by the course provider using the event title: Personal Financial Management Course Certificate.

Overview

A Certification of Financial Management Course for Debtor is filed by the debtor or debtor’s counsel to certify attendance/completion of a financial management course offered by an approved financial management entity. A discharge will not be granted without this certification or an Order from the Court granting exemption.

A Chapter 7 debtor must file Form 23 and/or a Certificate of Debtor Education within 60 days after the first date set for the meeting of creditors. Chapter 11 and 13 debtors must file Form 23 no later than the date the last payment is made as required by the plan or the date a motion for entry of discharge is filed.

A list of approved debtor education providers can be found on the [Department of Justice/U.S. Trustee program website](#). The course is available on-line, by telephone and in person.

Note: IF Debtor subsequently files a motion to reopen the case in order to file Form 23, Debtor must pay the appropriate fee to reopen the case.

END OF OVERVIEW



Filing Requirements

- A Certification of Financial Management Course for Debtor may be filed in the form of a Certificate of Debtor Education and/or Form 23 and should include:
 - Certificate number
 - Case number
 - Debtor's name
 - Date of completion
 - Signature of providing agency representative **IF** filing as a Certificate
 - Signature of debtor **IF** filing as Form 23

END OF FILING REQUIREMENTS



- **IF** missing and filed in paper, consult with your supervisor prior to docketing
- **IF** missing and filed electronically, notify the filer and enhance the docket entry to state "missing certificate number - filer notified"

Intake

- Ensure [Filing Requirements](#) are met
- [Quality Control](#) the document(s)
- File stamp the document
- Route the original (and copies, if any) to the assigned case administrator

END OF INTAKE



Electronic

- In the QC Editor, click the document number to open the document
- Ensure [Filing Requirements](#) are met
- [Quality Control](#) the document(s)
 - **IF** the document is filed using the incorrect event code
 - Contact the attorney and have them refile the document using the correct event
 - Enhance the docket text to include "Incorrect Event Code used – Notified Attorney."
 - **IF** the document is filed as a stand-alone Certificate of Debtor Education and the case number is missing or incorrect
 - Do NOT contact filer or issue a Notice of Deficiency so long as the debtor(s) name(s) on certificate match(es) the debtor(s) name(s) on

- the case
- o **IF** the document is filed as a stand-alone Form 23 and the case number is missing or incorrect
 - Issue a [Notice Regarding Incorrect Name/Case Number](#)
- Verify the docket text and make corrections, if necessary
- Click the "Mark as Checked" box in QC Editor before moving on to the next event

Note: If the docket entry identifies the incorrect debtor for which the certificate is being filed **or** if this event code was used in error, un-terminate/un-satisfy deadline(s) **(LINK)** that were incorrectly satisfied.

END OF ELECTRONIC



Docket

- Ensure [Filing Requirements](#) are met
- Quality Control the document(s)
 - o **IF** the document is filed as a stand-alone Certificate of Debtor Education and the case number is missing or incorrect
 - Do NOT contact filer or issue a Notice of Deficiency so long as the debtor(s) name(s) on certificate match(es) the debtor(s) name(s) on the case
 - o **IF** the document is filed as a stand-alone Form 23 and the case number is missing or incorrect
 - Issue a [Notice Regarding Incorrect Name/Case Number](#)
- Select **Bankruptcy**
- Select **Other**
- Enter case number (xx-xxxxx)
- Click **Next**
- Select the **filing attorney**
- Click **Next**
 - o **IF** an attorney is not listed
 - Use [Add/Create New Attorney](#)
 - Click **Next**
 - o **IF** the document is not being filed by an attorney
 - Click **Next**
 - Click **OK**
- Select the **party filer**
- Click **Next**
 - o **IF** the party is not listed
 - Use [Add/Create New Party](#)
 - Click **Next**
- If you see the message: **IMPORTANT: The following attorney/party association(s) will be created in this case. De-selecting a party association will result in the filing attorney NOT receiving Notices of Electronic Filing for that party. If this is a joint filing, review the list**

carefully to ensure that only parties represented by the filing attorneys are selected.

- Remove the check mark from any party not represented by the filing attorney
- Click **Next**
- Select **Certification of Financial Management Course for Debtor**
- Click **Next**
- Enter the **Date filed** from the file stamp
- **Browse** to select the document to be filed (.pdf)
- Click **Next**
- Modify the docket text by using the drop-down and free text boxes to enter additional information, if necessary
- Click **Next**
- Verify the docket text and make corrections, if necessary
- Click **Next**
- In the lower right corner of the document, write the document number and your initials
- If necessary, generate a [Notice of Deficiency](#)

END OF DOCKET



- **IF** you see the message: **This Certificate is Being Filed on Behalf of:**
 - Using the options provided, select only the debtor(s) named on the attached certificate(s)
- Click **Next**

