



PRO SE GUIDE

U.S. Bankruptcy Court – District of Nebraska

Revised 11.20.24

U.S. Bankruptcy Court
District of Nebraska

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The information provided in this Pro Se Guide is not a step-by-step guide for filing bankruptcy. It should not be relied upon as legal authority, nor a substitute for the advice of a bankruptcy attorney.

This guide is not intended to advise you of your legal rights or responsibilities under bankruptcy or to inform you which chapter to file. The bankruptcy law is complicated and not easily described, and you should, if possible, seek the advice of an attorney.

The clerk's office is prohibited by [28 U.S.C. § 955](#) from giving legal advice or assisting with the preparation of forms.

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Omaha Clerks Office Public Support Hours and Address

Roman L. Hruska United States Courthouse
111 South 18th Plaza, Suite 1125
Omaha, NE 68102

- Walk in and telephone hours: 8:00 am – 4:30 pm, Monday through Friday, except Federal Holidays
- Drop Box hours: 8:00 am – 4:30 pm, Monday through Friday, except Federal Holiday
- You can contact the Bankruptcy Clerk's Office by phone at 402-661-7444 or by email at nebml_questions@neb.uscourts.gov

Lincoln Clerks Office Public Support Hours and Address

460 Robert V. Denney Federal Building
100 Centennial Mall North
Lincoln, NE 68508

- **Walk in hours effective Dec 2, 2024:** 8:00 am – 4:30 pm, Tuesday and Wednesday (and court days), except Federal Holidays.
- Telephone hours: 8:00 am – 4:30 pm, Monday through Friday, except Federal Holiday
- Drop Box hours: 8:00 am – 4:30 pm, Monday through Friday, except Federal Holiday
- You can contact the Bankruptcy Clerk's Office by phone at 402-437-1625 or by email at nebml_questions@neb.uscourts.gov

For **Federal Holidays**, click [here](#).

Mailing Address for the Omaha and Lincoln Clerk's Office:

U.S. Bankruptcy Court
Roman L. Hruska United States Courthouse
111 South 18th Plaza, Suite 1125
Omaha, NE 68102

Bankruptcy Filing Fee Payments

The Clerk's Office does not accept cash. Payment(s) by the debtor(s) must be in the form of a cashier's check or money order. All filing fee payments are to be made in person in the Omaha office or mailed to the United States Bankruptcy Court, 111 South 18th Plaza, Suite 1125, Omaha, NE 68102-1321.

The Lincoln Bankruptcy Clerk's office does not accept any payments.

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www.neb.uscourts.gov

The U.S. Bankruptcy Court, District of Nebraska homepage.

www.neb.uscourts.gov/local-rules

Nebraska Rules of Bankruptcy Procedures for the District of Nebraska supplement the Federal Rules of Bankruptcy Procedure and apply in all bankruptcy cases unless specifically excluded. They are cited as “Neb. R. Bankr. P.” and each may be referred to as a “Local Rule”.

www.neb.uscourts.gov/forms

Resource page for Bankruptcy National Forms.

Bankruptcy Packet for Individual Chapter 7

Bankruptcy Packet for Individual Chapter 13

www.justice.gov/ust/resources

U.S. Trustee’s Resource page

Information on Credit Counseling and Debtor Education Certificate

www.neb.uscourts.gov/credit-reporting-inquiry

Credit Reporting Inquiry

www.uscourts.gov/educational-resources/educational-activities/bankruptcy-basics-glossary

Bankruptcy Basics Glossary

www.neb.uscourts.gov/court-fees

The Fee Schedule lists the respective bankruptcy fees.

www.neb.uscourts.gov/copy-request

Information on requesting copies from a respective bankruptcy case.

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Legal Aid of Nebraska

Clients who qualify for their services can get free legal assistance for civil legal issues. Visit their website at www.legalaidofnebraska.org. for locations and on-line help. Statewide access line: (877) 250- 2016. Also refer to listings below:

Location	Toll Free Number
Omaha	1-888-991-9921
Lincoln	1-800-742-7555
Norfolk	1-800-672-8319
Grand Island	1-877-250-2018
Bancroft	1-800-464-0258
North Platte	1-877-669-9080
Scottsbluff	1-877-669-8898

Nebraska State Bar Association

635 S. 14th St., Suite 200
Lincoln, NE 68508
Ph (402) 475-7091
Toll Free 1-800-927-0117
www.nebar.com

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Types of Bankruptcy Cases

Chapter 7

The chapter of the Bankruptcy Code providing for "liquidation," (i.e., the sale of a debtor's nonexempt property and the distribution of the proceeds to creditors.)

Chapter 9

The chapter of the Bankruptcy Code providing for reorganization of municipalities (which includes cities and towns, as well as villages, counties, taxing districts, municipal utilities, and school districts).

Chapter 11

Purpose of a chapter 11 business reorganization case is to restructure a business's finances so that it may continue to operate, provide its employees with jobs, pay its creditors, and produce a return for its stockholders. The premise of a business reorganization is that assets that are used for production in the industry for which they were designed are more valuable than those same assets sold for scrap.

Chapter 12

The chapter of the Bankruptcy Code providing for adjustment of debts of a "family farmer," or a "family fisherman" as those terms are defined in the Bankruptcy Code.

Chapter 13

The chapter of the Bankruptcy Code providing for adjustment of debts of an individual with regular income. (Chapter 13 allows a debtor to keep property and pay debts over time, usually three to five years.)

Chapter 15

The Bankruptcy Code dealing with cases of cross-border insolvency.

Adversary Proceeding

A lawsuit arising in or related to a bankruptcy case that is commenced by filing a complaint with the court. A nonexclusive list of adversary proceedings is set forth in Fed. R. Bankr. P. 7001.

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Voluntary Petition Information

1. Bankruptcy petitions must conform to the Official Bankruptcy Forms. The voluntary petition initiates the opening of the bankruptcy case.
2. The bankruptcy packets for individual chapter 7 or chapter 13 and the national forms can be found on the court's website at www.neb.uscourts.gov/forms/
3. The debtor is required to file Form B121, *Statement About Your Social Security Numbers* at the time the voluntary petition is filed. The National Forms can be found on the court's website at www.neb.uscourts.gov/forms/
4. Debtor's signatures. Ensure the voluntary petition and all applicable forms submitted with the voluntary petition are signed.
5. *Verification of matrix* and *creditor matrix* must be filed with the voluntary petition. The "verification" is the coversheet for the matrix affixed with the debtor's signature. The matrix is a list of creditors and the respective mailing addresses. See [Neb. R. Bankr. P. 1007-2](#).
6. Certificate of Credit Counseling. If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days before you file your bankruptcy petition. The certificate must be filed with the court at the time the petition is filed. For exceptions, *Voluntary Petition for Individuals Filing for Bankruptcy* [B101 form](#), Part 5.
7. Debtor Electronic Bankruptcy Noticing (DeBN). The court offers debtors the opportunity to request receipt of court notices and orders via email, instead of U.S. mail, through a program called "Debtor Electronic Bankruptcy Noticing" or "DeBN." For more information and to fill out the form, see www.neb.uscourts.gov/debn
8. Voluntary petition filing fee payment for an individual debtor.
 - Fee paid in full. Pay fee at the time of filing the Voluntary Petition
 - Fee Installments. File an *Application for Individuals to Pay the Filing Fee in Instalments*. Must receive an initial payment of \$75.00.
 - Fee Waiver. Only applicable in a Chapter 7 individual case. File an *Application to Have the Chapter 7 Filing Fee Waived*.
9. Payments can be made in person or mailed.
 - The bankruptcy clerk's office does not accept cash. All payments for bankruptcy filings must be in the form of a cashier's check or money order.
 - Payments are to be made in person in the Omaha office or mailed to the United States Bankruptcy Court, 111 South 18th Plaza, Suite 1125, Omaha, NE 68102-1321.
 - The Lincoln Bankruptcy Clerk's office **does not** accept payments.

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10. Record keeping. It is important to retain your respective bankruptcy papers.
11. Public Access to Court Electronic Records (PACER). Public Access to Court Electronic Records (PACER). A beneficial method to obtain information about cases filed electronically in the CMECF database or to retrieve documents. As a debtor this is a beneficial method to view your case online. For more information about PACER. For more information go to www.neb.uscourts.gov/court-info/pacer-info

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In re _____ Case No. _____
Debtor(s) Chapter _____

Verification of Creditor Matrix

The above-named Debtor(s) hereby verify that the attached list of creditors is true and correct to the best of their knowledge.

Date: _____
Signature of Debtor

Date: _____
Signature of Debtor

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The debtor must include on the mailing matrix the Internal Revenue Service and the Nebraska Department of Revenue, using the addresses in Appendix A, and the county attorney and county treasurer for the county in which the debtor resides.

Example of Creditor Matrix

Rentrax
PO Box 18888
Portland, OR 97218

Yellow Pages
PO Box 2775
McAllen, TX 78502

Sight & Sound
2055 Walton Road
St. Louis, MO 63114

Brentwood Bank
8004 South 48th St.
LaVista, NE 68128

Omaha Public Power
444 So. 16th St. Mall
Omaha, NE 68102

Nebraska Department of Revenue
Attn: Bankruptcy Unit
Nebraska State Office Building
P.O. Box 94818
Lincoln, NE 68509 4818

Internal Revenue Service
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101 7346

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Credit Counseling and Financial Management Course

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days before you file your bankruptcy petition. The certificate must be filed with the court at the time the petition is filed. For exceptions, see Official Form 101, “Voluntary Petition for Individuals Filing for Bankruptcy”, Part 5.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course. Upon completion of the course file the certificate with the court.

For approved Credit Counseling and Debtor Education providers, and FAQ’s click on the following link:

<https://www.justice.gov/ust/credit-counseling-debtor-education-information>

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Means Test

Chapter 7

Official Forms 122A–1 and 122A–2 determine whether your income and expenses create a presumption of abuse that may prevent you from obtaining relief from your debts under chapter 7 of the Bankruptcy Code.

You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A–1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state. If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A–2). If your income is above the median for your state, you must file a second form—the Chapter 7 Means Test Calculation (Official Form 122A–2).

Similarly, *Statement of Exemption from Presumption of Abuse Under § 707(b)(2)* (Official Form 122A-1Supp) determines whether you may be exempted from the presumption of abuse because you do not have primarily consumer debts or because you have provided certain military or homeland defense services. If one of these exemptions applies, you should file a supplement, Form 122A-1Supp, and verify the supplement by completing Part 3 of Form 122A-1. If you qualify for an exemption, you are not required to fill out any part of Form 122A-1 other than the verification. If the exemptions do not apply, you should complete all the parts of Form 122A-1 and file it without the supplemental form.

Chapter 13

Official Forms 122C–1 and 122C–2 determine the commitment period for your payments to creditors, how the amount you may be required to pay to creditors is established, and, in some situations, how much you must pay.

You must file the *Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period* (Official Form 122C–1) if you are an individual and you are filing under chapter 13. This form will report your current monthly income and determine whether your income is at or below the median income for households of the same size in your state. If your income is equal to or less than the median, you will not have to fill out the second form. Form 122C-1 also will determine your applicable commitment period—the time period for making payments to your creditors, unless the court orders otherwise.

If your income is above the median, you must file the second form, Chapter13 Calculation of Your Disposable Income (Official Form 122C–2). The calculations on this form—sometimes called the Means Test—reduce your income by living expenses and payment of certain debts, resulting in an amount available to pay unsecured debts. Your chapter 13 plan may be required to provide for payment of this amount toward unsecured debts.

Chapter 11

You must file the *Chapter 11 Statement of Your Current Monthly Income* (Official Form 122B) if you are an individual filing for bankruptcy under chapter 11 (other than under subchapter V).

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Certificate in Support of Confirmation and Certification in Support of Discharge

Certification by Debtor in Support of Confirmation ([Appendix M](#)) listed under the Appendices in the Local Rules. In all individual Chapter 12 or a Chapter 13 cases, for all plans and amended plans, pre and post confirmation, debtor must file a *Certification by Debtor in Support of Confirmation* at least seven days before the objection to confirmation deadline. If the certification is not filed, the court may deny confirmation. The debtor is not permitted to file the certification before the applicable plan is filed.

Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q). Certificate Regarding Domestic Support Obligations. Within 14 days after the trustee files a certificate of final payment, the debtor in a Chapter 13 case must file the certification regarding domestic support obligations and § 522(q) using the official bankruptcy form [B2830](#), or the case may be closed without a discharge. If the case is closed without discharge, to obtain the discharge, the debtor must file a motion to reopen, pay the associated filing fee, file the certification, and file a motion for discharge.

Certification By Debtor in Support of Discharge Regarding Payment of Domestic Support Obligations ([Appendix I](#)), listed under the Appendices in the Local Rules. The court will discharge the debtor in a Chapter 12 case only if the debtor files a motion for discharge and the trustee files a consent. By filing the consent, the trustee represents all conditions precedent to discharge are completed and no objections are filed. If the trustee does not file a consent, the debtor may file a request for hearing. Before the resistance deadline on the motion for discharge expires, the debtor must file the certification in Appendix I regarding domestic support obligations under 11 U.S.C. § 1228(a), or the case may be closed without a discharge. If the case is closed without discharge, to obtain a discharge, the debtor must file a motion to reopen, pay the associated filing fee, file the certification, and file a motion for discharge.

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Failure to Filing Information

If the debtor in a Chapter 7, Chapter 12, or Chapter 13 case does not file all information required by 11 U.S.C. §§ 521, 1221, 1321, or by court order, and the failure continues for more than seven days after either the court enters a deficiency notice or the trustee files a notice the debtor did not comply, the court may dismiss the case without further notice or hearing. See [Neb. R. Bankr. P. 1007-1](#).

Privacy Rules

Parties and their counsel must redact personal data identifiers. The clerk will not redact documents or review documents for compliance. See [Neb. R. Bankr. P. 1007-1](#).

State and Federal Tax Returns. Unless otherwise ordered by the court, the debtor should not file with the court federal and state income tax returns or a transcript of the return for the most recent tax year ending immediately before the commencement of the case and for which a tax return was filed. See [Neb. R. Bankr. P. 4002-1](#).

Tax Return. At least 7 days before the first date set for the meeting of creditors under §341, the debtor shall provide to the trustee a copy of the debtor's federal income tax return for the most recent tax year ending immediately before the commencement of the case and for which a return was filed, including any attachments, or a transcript of the tax return, or provide a written statement that the documentation does not exist. See [Fed. R. Bankr. P. 4002\(b\)\(3\)](#).

Reaffirmation Agreements. Reaffirmation agreements must comply with the Official Bankruptcy Forms. Reaffirmation hearings will be scheduled at the court's discretion. See [Neb. R. Bankr. P. 4008-1](#). A reaffirmation checklist is available on the court's website at www.neb.uscourts.gov/helpful-information