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First Meeting of Creditors

The Bankruptcy Court Clerk has scheduled a *First Meeting of Creditors* or simply the *First Meeting* in your bankruptcy case. The First Meeting is also referred to as the **341 Hearing** because it is required by Section 341 of Title 11 of the United States Code — the Bankruptcy Law.

You are required to appear at this First Meeting and answer a few questions to obtain your discharge in bankruptcy. This brochure provides general information about what is involved at First Meeting of Creditors. We will provide more detailed information later.

The Bankruptcy Trustee

The Bankruptcy Court has appointed a *Trustee* in your bankruptcy case. The Trustee will preside at your First Meeting. No Judge will be present at the First Meeting. The Trustee’s job is to see that you do what you are supposed to do and that your lawyer does what he is supposed to do under the Bankruptcy Law.

You must fully cooperate with the Trustee. The Bankruptcy Trustees who handle cases in this area are normally experienced lawyers from Oklahoma City: L. Win Holbrook, Ginger Goddard, Rob Nelson and Susan Manchester among others.

The name of your Trustee is listed on the Notice of First Meeting of Creditors mailed to you by the Bankruptcy Court after your case was filed.

Date of First Meeting

These First Meetings for Chapter 7 will normally be on Thursdays beginning every hour on the half hour beginning at 8:30 a.m. in Oklahoma City and 9:30 a.m. in Enid. Chapter 13 First meeting begin at 8:15 a.m.

The exact date and time of your First Meeting is listed on the Notice of First Meeting of Creditors that will be mailed to you by the Bankruptcy Court Clerk.

Location of First Meeting

Chapter 7 First Meetings for those who live in Northwest Oklahoma will be conducted in the Convention Center formerly known as Convention Hall **in Room 402, 301 South Independence in Enid.** The Convention Center is one block south of the Post Office on the square in downtown Enid.

Chapter 7 First Meetings for those who live near Oklahoma City will be held at the United States Bankruptcy Court House in **Room 113, 215 Dean A McGee Avenue** in downtown Oklahoma City.

Typically Chapter 13 First Meetings are held in Oklahoma City; however, we have an arrangement with the Chapter 13 Trustee for our clients to participate in First Meetings via Skype in our office at 202 West Broadway in Enid.

This allows our clients to avoid Oklahoma City traffic and parking problems and for us to reduce our legal fees to our clients since we do not have to charge for traveling to Oklahoma City.

Remember,
Two Things as
You Testify at Your
First Meeting:

- ***Tell the Truth***
- ***Don't Volunteer Anything Unless Necessary to Convey the Truth***

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by
Mitchell & DeClerck,
PLLC
Attorneys at Law
202 West Broadway
Enid, Oklahoma 73701

Phone: (580) 234-5144
Toll Free: (800) 287-5144
Facsimile: (580) 234-8890
Email: ldl@mdp LLC.com

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Setting of First Meeting

There are usually 50 to 100 other Debtors or persons like you who filed Bankruptcy at about the same time at the First Meeting. There will also be a number of lawyers and creditors present. You do not need to wear a suit or tie but most Debtors wear slacks or something similar. *This is the only court appearance for about 98% of Debtors.*

Questions to You

Your lawyer will normally ask you several simple questions at the First Meeting:

- ◆ *What is your Name?*
- ◆ *Where do You Live?*
- ◆ *How Long have You Lived There?*
- ◆ *Did You List all of Your Debts and Assets?*

The Trustee will then ask if any of your creditors have any questions. The Trustee will probably have a couple of questions for you while he or his assistant is looking at the documents you are required to bring.

You will likely testify only about five minutes; however, you may be in court more than an hour because of the other Debtors' hearings. If you forget what to say, remember two things: *First*, tell the truth. *Second*, don't volunteer anything.

Documents You Must Bring

You are required to furnish the Trustee bring the following documents at or before the First Meeting:

- ◆ **Bank Statements** without checks for the three months prior to your bankruptcy;
- ◆ **Income Tax Returns** for the two years prior to your bankruptcy;
- ◆ **Pay Stubs** from your job for the current month;
- ◆ **Vehicle Titles** to all vehicles you own; and
- ◆ **Two Forms of Identification** with your Social Security Number..

You are not required to bring what you do not have. If you do not have a job, you don't have to bring pay stubs. But if you don't bring something you should have, the First Meeting may be continued to a future date. Remember to bring your documents so you do not have to come back!

What's Next

Wait. Your creditors and the Trustee have 60 days to file an objection to your general discharge or to the discharge of a specific debt. This is rare and only occurs if you have done something serious — far more than failing to pay a debt.

Once this 60 days passes, the Bankruptcy Court will mail the Discharge to you and your creditors within a couple of weeks. Your Bankruptcy will then be finished.

The Author

Larry D. Lahman, the author of this publication, was born in Carmen, Oklahoma. He attended Northwestern Oklahoma State University receiving a Bachelor of Science in Chemistry, Mathematics and Physics in 1965.

Lahman subsequently attended graduate school at OSU and later received a Juris Doctorate Degree from the OU Law School. He is admitted to practice before all state and local federal courts including the United States Supreme Court.

Lahman served as President of the Garfield County Bar Association and other organizations. He was a parachute officer with the U.S. Army Special Forces — the Green Berets — in Vietnam and retired as a Lieutenant Colonel in the Army Reserves.

Caveat:
This brochure is
designed to give
general advice only.
Specific Questions
should be directed
to your Lawyer.