

# Guidelines for Bankruptcy Counselors

## Purpose of Counseling

Counseling is provided to help the client assess his/her financial assets and liabilities and determine an appropriate course of action to discharge debt. Options that you should discuss with the client include:

- Self administered payment plan
- Debt management service
- Bankruptcy

## Counseling Protocol

- The counseling session should be provided in person.
- Counseling should be provided on a per-case basis and may include an individual, spouse or partner, and/or other members of a household.
- Software will be provided so that you can complete the counseling forms electronically and as needed, provide copies to the client.
- Counseling appointments may be made entirely at your discretion, either during office hours or outside your regular office hours.
- Use the Tasks and Tools listed on the Debtor Counseling Record form as a guide for financial assessment.
- In addition to completing a financial assessment, you should provide to the debtor(s) information explaining each of the three options for discharging debt.
- If the client selects the option of bankruptcy, you will need to obtain the name and address of the client's attorney and provide the attorney, either through mail or personal delivery, an original and signed copy of the client's certificate of completion of counseling.
- All information obtained during counseling must be kept entirely confidential.

## Record Keeping

- An electronic or hard copy file should be kept on each case including a completed copy of the Debtor Counseling Record, any completed forms or copies of other information provided to the client, and a copy of the Counseling Certificate, if applicable.
- Client files must be safeguarded by physical lock or electronic password accessible only to the counselor.

## Fees

Fees are payable in cash or money order. Payment is required at the time of counseling. Services will be provided regardless of the client's ability to pay. The charge for the required 2 hour session is \$50.

## Training

- Training will be provided by a Family Economics Specialist and will be offered periodically and through Centra archive.
- Educators will be required to complete training prior to conducting counseling sessions.

## Information and Questions

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