

# **NYC Bankruptcy Assistance Project at LSNY**

*A Project of Legal Services for New York City*



The New York City Bankruptcy Assistance Project (NYC BAP) provides free pro bono assistance to low-income (200% of poverty and below) residents of New York City.

We provide information and assessment for the appropriateness of bankruptcy, assistance with preparing and filing Chapter 7 bankruptcy petitions, and advice to self-represented litigants on how to represent themselves in court and at the meeting of creditors. Separately, we provide representation in Bankruptcy Court on specific contested matters, such as relief from stay motions or adversary actions.

The Project is housed at LSNY's central office at 350 Broadway, south of Canal and north of City Hall, in Manhattan. We serve all five boroughs. We have some Spanish language capability.

Intake is by telephone, to our Hotline: 646-442-3630. Callers can call anytime, but will get a message and be instructed to leave a message, and a worker will get back to them within 48 hours. Referring agencies may call the Project at 646-442-3646.

People who qualify for our services who already have an open bankruptcy case may be given brief phone advice, or if they need representation in a contested matter, be screened for assistance by a pro bono attorney. The Project's ability to place individual matters with pro bono attorneys will vary, depending on the availability of attorneys, and there is no guarantee that everyone needing an attorney will get one.

People who have not yet filed a bankruptcy, who appear to be a good candidate for Chapter 7, may be scheduled for a "Bankruptcy Workshop." This consists of a general informational presentation to a group of potential debtors, followed by 1-on-1 meetings between attorneys and filers. From this, and two subsequent meetings, the attorney determines the debtor's appropriateness for Chapter 7 bankruptcy, and gives them advice. Depending on this assessment, the attorney then either advises the client and closes the matter, or prepares a bankruptcy petition for the debtor to file pro se. The attorney also advises the debtor on how to represent themselves in the meeting of creditors, and in contacts with creditors.

In general, we will not prepare and file bankruptcy petitions with the Bankruptcy Assistance Project, or its volunteers, on the pleadings, or otherwise be counsel of record from the beginning to the end of a bankruptcy case. The Petition will have a cover sheet stating that it was prepared "with the assistance of the NYC Bankruptcy Assistance Project."

For people we determine to be judgment-proof (they have nothing a creditor can take) our assistance will usually be limited to brief advice, and if necessary, a sample "Do Not Call" letter.

People who need a Chapter 13 will be referred out.

People who need to file an emergency bankruptcy petition to stop an eviction, foreclosure, car repossession, wage garnishment, etc., should call the hotline, and we will try to assist them, but

we make no promise of calling them back in less than 48 hours, and they should pursue any other resources available in the meantime.