

[What is a 341\(a\) Meeting of Creditors?](#)

Answer:

The meeting of creditors is a hearing all debtors must attend in any bankruptcy proceeding. The meeting of creditors is held outside of the presence of the judge and, depending upon the case chapter, usually occurs between 21 and 50 days after the filing of the petition. In chapter 7, 12, and 13 cases, the trustee assigned to the case conducts the meeting. In a chapter 11 case, a representative of the United States Trustee conducts the meeting.

The meeting permits the trustee or the representative of the United States Trustee to review the debtor's petition and schedules with the debtor. The debtor is required to answer questions under penalty of perjury (swearing or affirming to tell the truth) about the debtor's conduct, property, liabilities, financial condition, and any other matter that may affect the administration of the case or the debtor's right to discharge. In addition, the trustee or United States Trustee representative will ask questions to ensure that the debtor understands the bankruptcy process.

The meeting is referred to as a meeting of creditors because creditors are notified that they may attend and ask the debtor questions pertaining to assets or any other matter pertinent to the administration of the case. It is also referred to as a 341 meeting because it is mandated by Section 341 of the Bankruptcy Code. Creditors are not required to attend these meetings, and do not waive any rights if they do not attend. The meeting usually lasts only about ten to fifteen minutes and may be continued if the trustee or United States Trustee representative is not satisfied with the information presented.

If the debtor fails to appear and provide the information requested, the trustee or United States Trustee representative may request that the case be dismissed, or may seek other relief against the debtor for failure to cooperate. If the case involves spouses filing jointly, both spouses must appear at the meeting of creditors.

FAQ Category: General Bankruptcy

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