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WARNING: You must be able to satisfy one of the following conditions regarding [credit counseling](#) listed below. If you cannot do so, you are not eligible to file a bankruptcy case under [Chapter 7](#), 11, 12 or 13, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may be unable to stop creditors' collection activities or may be able to stop them for only 30 days.

Within the 180 days **before the filing of your bankruptcy case**, you received a briefing from a [credit counseling agency approved by the United States trustee](#) that outlined the opportunities for available credit counseling and assisted you in performing a related budget analysis, and you have a certificate from the agency describing the services provided to you. You are required to file a certificate from the agency describing the services provided to you with the petition or within 15 days thereafter.

You requested [credit counseling services from an approved agency](#) but **you were unable to obtain the services during the five days from the time you made a request**, and exigent circumstances merit a temporary waiver of the credit counseling requirement so you can file your bankruptcy case now. **NOTE:** You must file a motion, along with a declaration and a proposed order, for determination by the court explaining the exigent circumstances.

If the court is satisfied with the reasons stated in your motion, it will send you an order approving your request. You must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy case and promptly file a certificate from the agency that provided the briefing, together with a copy of any debt management [plan](#) developed through the agency. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. A motion for extension must be filed within the 30-day period.

Failure to fulfill these requirements may result in dismissal of your case. If the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing, your case may be dismissed.

You are not required to receive a credit counseling briefing because of:

Incapacity. (Defined in 11 U.S.C. § 109 (h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilities.);

Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);

Active military duty in a military combat zone.

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