

Revocation of Temporary Waiver of Credit Counseling and Financial Education Requirements for Bankruptcy Filers in Areas Affected by Hurricanes Irma and Maria To Occur Effective March 25, 2020.

The United States Trustee for Region 21 shall revoke the temporary waiver of the federal statutory requirements for credit counseling and personal financial management education for individual bankruptcy filers in the District of Puerto Rico and the District of the Virgin Islands in 180 days, effective March 25, 2020.

Under the Bankruptcy Code, individual bankruptcy filers are required to receive credit counseling from an approved agency within 180 days before they file bankruptcy. In addition, in order to receive a bankruptcy discharge, individual bankruptcy filers must complete a course in personal financial management offered by an approved provider.

On September 28, 2017, the Acting United States Trustee for Region 21 temporarily waived the credit counseling and financial education requirements for bankruptcy filers in the District of Puerto Rico and the District of the Virgin Islands after determining that approved agencies and providers were not reasonably able to provide adequate services in those districts. The temporary waiver was extended on September 28, 2018.

The Bankruptcy Code requires the United States Trustee to review waivers periodically. The United States Trustee has now completed this review. Based on such review, the United States Trustee has determined that approved nonprofit budget and credit counseling agencies are now reasonably able to provide adequate services to individuals in the districts and approved instructional courses are now adequate to service individuals in the districts.

As a result, individuals in the District of Puerto Rico and the District of the Virgin Islands whose bankruptcy cases are filed on or after March 25, 2020 will once again be required to have received pre-petition credit counseling as set forth in 11 U.S.C. § 109(h)(1) and to file with their petition a statement of compliance with the credit counseling requirement pursuant to Federal Rule of Bankruptcy Procedure 1007(b)(3).

Similarly, individual debtors in the District of Puerto Rico and the District of the Virgin Islands who seek a discharge on or after March 25, 2020 will once again be required to have received personal financial management education as set forth in 11 U.S.C. §§ 727(a)(11) and 1328(g)(1) and, pursuant to Federal Rule of Bankruptcy Procedure 1007(b)(7), the debtor must file the appropriate statement of completion of the course with the court unless an approved provider of personal financial management education has already notified the court that the debtor has completed the course.

To locate approved agencies and providers in Puerto Rico and the Virgin Islands, please visit [CC Puerto Rico](#), [CC Virgin Islands](#), [DE Puerto Rico](#), or [DE Virgin Islands](#).