



AUTOMATIC STAY

Filing a petition under chapter 7, 11, 12 or 13 "automatically stays" (stops) most collection actions against you and your property, including those actions against your home and car. The automatic stay begins the moment the bankruptcy petition is filed. It begins by operation of law and requires no judicial action and no action on your part. The automatic stay provides the debtor immediate relief amidst the whirlwind of financial difficulties. As long as the stay is in effect, creditors generally may not initiate or continue lawsuits, wage garnishments, or even letters or telephone calls demanding payments from you. The automatic stay remains in effect, in most cases, until the secured property is no longer part of the bankruptcy estate or the bankruptcy is closed and the debt discharged.

But, filing the bankruptcy petition does not stay certain types of actions listed under 11 U.S.C. § 362(b). In most cases, these exceptions will not apply to you. Check with your attorney regarding the types of matters excepted from the "automatic stay". Also, the stay may be effective only for a short time in some situations. Secured creditors may petition the bankruptcy court for relief from the automatic stay upon a showing of cause.

Please contact the Law Offices of William M. Parker, 4248 Galewood Street, Lake Oswego, OR 97035, Tel. No. 503.624.1428. We serve Clackamas, Washington Multnomah, Yamhill and Marion Counties.