

Rule 2090-2: Bankruptcy Petition Preparers

(a) State Certification Required. Only bankruptcy petition preparers, as defined by Bankruptcy Code § 110, who are certified as legal document preparers pursuant to the Rules of the Supreme Court of the State of Arizona are permitted to prepare documents for filing in the United States Bankruptcy Court for the District of Arizona.

~~**(b) Sanctions.**~~ Any bankruptcy petition preparer who prepares a document for filing in the United State Bankruptcy Court for the District of Arizona and who is not a certified legal document preparer ~~as stated above~~ may be subject to the sanctions provided in Bankruptcy Code § 110 and/or as provided by law.

~~**(e)(b) Prohibition on Preparing Chapter 13 Bankruptcy Documents.**~~ Bankruptcy petition preparers are prohibited from preparing any documents in a Chapter 13 bankruptcy.

~~**(c) Disciplinary Authority of Court.**~~ A bankruptcy petition preparer who prepares documents for filing in this Court submits to the discipline of the Court. If a judge has cause to believe that a bankruptcy petition preparer has engaged in unprofessional conduct, the judge may do any of the following:

- (1) Initiate proceedings for civil contempt;
- (2) Order a reduction or refund of fees;
- (3) Enjoin the bankruptcy petition preparer;
- (4) Refer the matter to the Arizona State Supreme Court Board of Licensed Document Preparers, or the State Bar of Arizona, if appropriate; or
- (5) Impose other sanctions deemed appropriate.

(d) Certification Number. In addition to the requirements of Bankruptcy Code § 110, a bankruptcy petition preparer, certified as a legal document preparer under Arizona law, shall provide his or her certification number and a business phone number on any document prepared for filing.

~~**(de) Other Prohibitions.**~~ This Order shall not be construed as a modification of Bankruptcy Code § 110(f), which prohibits bankruptcy petition preparers from using the word "legal" or any similar term in any advertisement or advertising under any category which utilizes said term.

Comments: Delineate disciplinary actions that the court can take against BPP. Add prohibition on Chapter 13 cases. Similar changes in rule designating disciplinary actions for attorneys.