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Welcome to the Ruben Law Firm, a leading Chapter 7 and Chapter 13 bankruptcy services provider owned and operated by the Law Offices of David L. Ruben, P.A. Thank you for choosing us to assist you with your bankruptcy needs. We understand that filing bankruptcy is never an easy process, and our goal is to make it as painless and simple as possible for you. We believe we provide a combination of the most competent, attentive, and affordable bankruptcy services in the state of Maryland.

The bankruptcy laws, which have been around since the inception of our great country, are designed to help you and give you a fresh start. However, the laws we must follow in order to achieve your goals for you require the filer to gather a lot of information and answer a lot of financially related questions. Our job is to help you get all of that information together and then use it to properly and successfully prepare your bankruptcy petition with the bankruptcy court and to make sure all of your “dischargeable debts” are eliminated and that your rights are protected. Please take the time to read through the information provided in this information packet. If you have any questions about anything throughout the process, we are here to answer your questions.

## **THE BANKRUPTCY PROCESS: FROM FIRST CONTACT TO FRESH START**

The following gives you a general guide to the bankruptcy process.

1. The first step is to meet and/or speak with one of our staff to discuss your case. The person writing this is David L. Ruben, Esquire, the owner. I do my best to speak with and meet with every new client that contacts us about our services. It is my firm and it is my responsibility to take you through the process. I have an amazing staff of attorneys and paralegals that will help you every step of the way and do much of the paperwork, but you can always rest assured that I take full responsibility for everything that goes on at my firm.
2. I will discuss the fee for bankruptcy during our first conversation either on the phone or in the office. Many law firms will not do that. They will “get you in” the office first so they can say what is

necessary in order to get you to pay them as much as possible. I will never do that. Chapter 7 and Chapter 13 bankruptcy is not complicated. Within 5 minutes on your phone I can tell you exactly what I think you should do and how much it will cost. I am not shy about telling you my fees because it is lower than most other bankruptcy service law firms in Maryland.

3. Once you decide to retain our firm (90% of people with real interest in filing bankruptcy do in fact retain our firm), we will sign a retainer agreement. With the retainer agreement, you will make a payment. Your retainer agreement can be as low as \$100 or you can pay the entire fee and court fees. Once you have paid ANY amount of money to us we can and will stop the harassing phone calls from the creditors. Once the fees are paid in full (we will work out a payment plan when we speak), we will be able to file the petition for you with the bankruptcy court and any foreclosure, garnishment, lawsuits and collection efforts will be stopped.
4. In ALL bankruptcy cases, the debtor (you) is required to complete “pre-filing credit counseling” before the bankruptcy is filed. It is completed online in the comfort of your own home and takes about an hour. This process, which is very easy and simple, is explained later in this paperwork and we will explain it to you as well.
5. The next step is to gather documents for us. The bankruptcy court will not accept your case unless you provide the requested paperwork or give explanation as to why you cannot. There is a list of documents just a few pages into this packet, take a look when you can. The most important documents are the last two years of tax returns that you filed, your most recent last 6 months worth of paystubs and your last two months of pay statements. Unfortunately “I cannot find them” is not an excuse the bankruptcy court accepts. You may have to contact the IRS, or your employer, or your bank, to get the documents.
6. Next you will complete the Client Questionnaire. We understand that some of it is confusing and you may not have a lot of the information that we are asking for. That is okay, we will help you with it. You can call and e-mail us at anytime with questions and we will answer them (e-mail is preferred, but it is up to you). Remember though, the information we are requesting is the EXACT information that the bankruptcy court needs in order to process your case and eliminate your debt for you, so you need to do the best job that you can.
7. Once you have completed filling out the Client Questionnaire and gathered as much of the required documentation as you can, you get it all back to us. We recognize that many of you live far away and/or it is not easy to get by the office due to work or children. That’s okay. You can e-mail the information to [david@rubenlaw.com](mailto:david@rubenlaw.com) or you can fax it to (443) 459-8203 anytime. We do not need originals, just copies, so if you want to scan and email, or just forward an e-mail that contains an attachment, which is fine too. Our goal is to make it as easy as possible for you.

8. We will review the documentation and questionnaire and let you know what else, if anything, we need from you.
9. Once you have provided us with everything that we need and have paid our fee and the filing fee in full, we will then prepare your bankruptcy petition. This is the work we do and it is quite extensive. We are well staffed to get it done very quickly and it can usually be done within just a week or so. If it is an emergency and we are stopping a foreclosure or a garnishment, or unfreezing a bank account, we will get it done immediately. We will then call or e-mail you when it is complete and we will schedule an appointment for you to come into the office. Remember that you cannot sign your petition, and it cannot be filed, until the fees are paid in full.
10. We have found that the best way to make sure that we eliminate all of your dischargeable debt is to pull up a credit report for you from all three credit agencies. We will work with a company that provides all three reports, and imports your creditors into our system. It is an incredible service and costs only \$38 for an individual and \$73 for a married couple. That cost is in addition to the attorney fee and the filing fee, but it is well worth it. We do not make any money on the service, we pay the service the \$38 or \$73, but because it is so efficient and thorough, it helps us charge less for our services than most of our competitors. We will get the credit report information from you once you retain our services.
11. Once your completed bankruptcy petition is reviewed and signed we will “file” it with the United States Bankruptcy Court. It is federal court, not state court, and there are two such courts in Maryland. There is one in Baltimore and one in Greenbelt. If you reside in Baltimore, Anne Arundel, Howard, Carroll, Frederick or other counties in western Maryland or the eastern shore, we file in Baltimore. If you live in Montgomery, Prince George’s, or other counties in southern Maryland, we will file in Greenbelt. Your petition will be filed electronically from our office and we will pay the filing fee for you with the funds that you have provided to us.
12. Approximately 30 days after your bankruptcy is filed you will have what we call a “meeting of creditors” either in Baltimore, Greenbelt, Salisbury, or Hagerstown, depending on where you live. While it is called a “meeting of creditors,” don’t worry, creditors rarely, if ever, show up to the meetings. The meeting is a very short conference, usually less than 10 minutes, where you will appear in a conference room (not a courtroom) and answer questions to verify that the information that you provided in the bankruptcy petition was true at the time you filed. You must bring a photo ID and proof of your social security number with you to the meeting. We will be with you at the meeting to help you and answer any questions that you may have. In Chapter 13 cases there is an additional hearing called a “Confirmation Hearing” that you may have to attend. We will explain to you if and when that happens.

13. On occasion, at the meeting of creditors the Trustee (the lawyer appointed by the court to “manage” your case) will ask for further information or more documentation. That is okay, in fact, with some Trustees, it is normal. It does not mean that your case is not going to be successful. As long as you provide what is requested, everything will be okay.
14. After we complete the filing, you will be required to complete “Post-Filing Financial Management.” Similar to the pre-filing credit counseling, it is easy and cheap, but it must be done in order to receive your final discharge. You can do it anytime after we file your petition, but no later than 30 days after the meetings of creditors.
15. In a Chapter 7, you will receive your final discharge papers in the mail 90 days after the meeting of creditors. You will receive the paperwork directly from the court. You will no longer owe the money that you owed prior the bankruptcy for all dischargeable debts. For a Chapter 13, once your Plan is confirmed you will continue making the planned payments for the period of time designated. It will all be explained to you throughout the process.
16. **IF YOU HAVE ANY QUESTIONS AT ANY TIME, PLEASE E-MAIL OR CALL US, THAT IS WHAT WE ARE HERE FOR!**

**HERE’S TO ELIMINATING DEBT AND GETTING A FRESH START!**

David L. Ruben, Esquire  
Ruben Law Firm

## **PRE-FILING CREDIT COUNSELING AND POST-FILING DEBTOR EDUCATION**

Both pre-filing credit counseling and post-filing debtor education are required in every case. They are both cheap, quick and easy. Your case cannot be filed until your pre-filing credit counseling is finished and your case cannot be concluded until your post-filing debtor education is complete.

We recommend the following providers for these services. These are the cheapest and most well organized providers we have found. We have no affiliation with either of them, the choice is entirely you as to which provider you use.

1. ACADEMY OF FINANCIAL LITERACY – Internet  
[www.getbankruptcycertificate.com](http://www.getbankruptcycertificate.com)  
\$17.95 pre-filing and \$14.95 for post-filing
2. ABACUS CREDIT COUNSELING – Internet or Phone  
[www.abacusec.org](http://www.abacusec.org)  
\$25.00 pre-filing and \$35.00 for post-filing

When you have completed your program, a certificate of completion will be e-mailed to my office. These providers have our e-mail address, but if not, tell them to e-mail it to [david@rubenlaw.com](mailto:david@rubenlaw.com) or fax to (443) 459-8203. You are filing in the United States Bankruptcy Court in the District of Maryland.

## **LIST OF REQUIRED DOCUMENTS**

The bankruptcy process requires that certain documents be provided to the court when the bankruptcy is filed. Do your best to get us all the documents listed below. You may need to contact your accountant, or the IRS, or your employer or your bank. We know that you are busy and it might be time-consuming or difficult, but you must do your best. If you have a problem, let us know and we will try and help. Feel free to e-mail, fax, mail, or drop of the documents anytime.

1. Completed Federal and State Income Tax Returns for the last 2 years that you have filed your returns. If you cannot find them, go to the IRS website and request a free tax transcript, it's very easy.
2. Documentation of proof of income for you for the past 6 months. If you are married, we need proof of income for both of you even if only one of you is filing. If you have a regular job, we need all paystubs received within the past 6 months. If you are self-employed, you will fill out six separate months of self-employed statements that you will find in this packet. If you receive treatment, or social security, or disability, or unemployment, we need proof of those payments within the past 6 months as well.
3. Bank statements of any and all bank accounts that your name is on for the past 2 months. That includes bank statements if your name is on an account with a spouse, parent or friend. If you are self-employed or only receive social security, we will need 6 months of bank statements from you.
4. If you have them, the most recent bill from each of your creditors. That includes credit cards, medical bills, mortgage payments, car loan statements, etc. If you cannot find them, that is okay, that is why we get your credit report. Do the best you can.
5. Copies of titles of all your vehicles. Providing the titles does not mean you are losing or giving up your car, you are not. It is just something that the bankruptcy court needs. If you cannot find the titles you will need to request a duplicate copy from the MVA website.
6. If you are separated from your spouse and have a written separation agreement, please provide it. If you are paying or receiving child support and have a court order, please provide it.
7. If you have a 401(k), 403(b), IRA or other retirement statement, please provide us the most recent statement. You are going to keep your entire retirement, but you still need to provide a

statement.

8. If you own a home and have had an appraisal or a comparative market analysis done in the past year, please provide a copy. If not, if possible, please go to [www.zillow.com](http://www.zillow.com), put in your address and print out this analysis. This does not mean that you are going to lose your house.
9. Any collection notices that you have received.
10. Any lawsuits or other court papers from any debts that you may have.
11. Any other documents that you think might be relevant to your situation.

We know that for some people gathering documentation is not easy. Do the best you can and if you have any questions, please contact us.

# CLIENT QUESTIONNAIRE

## Name and Address

Full Name: \_\_\_\_\_

Have you used, or been known by, any other names (first, middle or last) in the past eight years?

No  Yes

**If yes, please list ALL other names used:**

Telephone Numbers/E-mail Addresses:

Home: \_\_\_\_\_

Work : \_\_\_\_\_

Cell: \_\_\_\_\_

E-mail: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Have you lived at this address for at least 180 days (6 months)?  No  Yes

Have you lived at this address for at least 720 days (2 years)?  No  Yes

**If you answered no** to either question above, please list all of your previous addresses:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

**If you answered no** to either question above, please list all of your previous addresses:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

If you have a different mailing address, please list:

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Employer Name and Address: \_\_\_\_\_

Job Title: \_\_\_\_\_

How often paid \_\_\_\_\_

How long have you been employed \_\_\_\_\_

If you are not working, state the reason why: \_\_\_\_\_

Describe the income, if any, you receive: \_\_\_\_\_

**If you have more than 1 employer (full or part-time) please list the same information for each**

employer.

**Name and Address of Spouse** (If you a filing jointly with your spouse, fill in the following information about your spouse)

Name: \_\_\_\_\_

Has your spouse used any other name in the past eight years:  No  Yes

**If yes, please list ALL other names used:** \_\_\_\_\_

Telephone Numbers/E-mail Addresses:

Home: \_\_\_\_\_

Work : \_\_\_\_\_

Cell: \_\_\_\_\_

E-mail: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Spouse's Home Address (only if it is different than yours): \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

If your spouse have a different mailing address, please list:

Mailing Address: (enter only if different address) \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County: \_\_\_\_\_

Spouse's Employer Name and Address: \_\_\_\_\_

Job Title: \_\_\_\_\_

How often paid \_\_\_\_\_

If you are not working, state the reason why: \_\_\_\_\_

Describe the income, if any, you receive: \_\_\_\_\_

**If you have more than 1 employer (full or part-time) please list the same information for each employer.**

**Prior and/or Pending Bankruptcy Cases**

Have you filed a bankruptcy case in the last 8 years?  No  Yes

If yes, in which district of which state was the case filed? \_\_\_\_\_

Case Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

Are there currently any bankruptcy cases pending involving you, your business, your spouse, or your spouse's business?  No  Yes

**If yes**, name of debtor: \_\_\_\_\_

Relationship to you: \_\_\_\_\_

Case Number: \_\_\_\_\_

Date Filed: \_\_\_\_\_

District (if known): \_\_\_\_\_

Judge (if known): \_\_\_\_\_

**Exhibit “C” to the Voluntary Petition (Hazards to Public Health/Safety)**

Do you own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?  No  Yes

If yes, please list and describe the property:

**Debtors who reside as Tenants of Residential Property**

If you rent your place of resident, does a landlord hold a judgment against you?  No  Yes

If yes, please provide the name and address of your landlord:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you have a written lease?  No  Yes Do you have a copy of the lease?  No  Yes

If you have a written lease, are you continuing the lease?  No  Yes

Do you have a security deposit:  No  Yes If yes, how much is the deposit? \_\_\_\_\_

**Household/Means Test Information:**

Marital Status: \_\_\_\_\_

Are you filing Bankruptcy individually or jointly with spouse: \_\_\_\_\_

Number of people living in the house: \_\_\_\_\_

Name	Age	Relationship
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

## **INCOME FOR THE PAST 6 MONTHS**

PLEASE STATE YOUR GROSS INCOME (from a job, unemployment, retirement, disability or any other source, for the following months:

1. Amount of Gross Income Your Received One Month Ago \_\_\_\_\_
2. Amount of Gross Income Your Received Two Months Ago \_\_\_\_\_
3. Amount of Gross Income Your Received Three Months Ago \_\_\_\_\_
4. Amount of Gross Income Your Received Four Months Ago \_\_\_\_\_
5. Amount of Gross Income Your Received Five Months Ago \_\_\_\_\_
6. Amount of Gross Income Your Received Six Months Ago \_\_\_\_\_

FOR YOUR SPOUSE:

1. Amount of Gross Income Your Received One Months Ago \_\_\_\_\_
2. Amount of Gross Income Your Received Two Months Ago \_\_\_\_\_
3. Amount of Gross Income Your Received Three Months Ago \_\_\_\_\_
4. Amount of Gross Income Your Received Four Months Ago \_\_\_\_\_
5. Amount of Gross Income Your Received Five Months Ago \_\_\_\_\_
6. Amount of Gross Income Your Received Six Months Ago \_\_\_\_\_

Remember that you need to provide us with paystubs for the past 6 months for both yourself and your spouse.

If you or your spouse receives disability income, you must let us know.

If you receive money that is deposited directly into your bank account from a source other than employment and you are unable to get a document that shows your monthly income, you must provide the bank statements and do your best to highlight on that statement the income that you receive.

## **YOUR REAL ESTATE**

*YOU MUST PROVIDE US WITH INFORMATION REGARDING ALL REAL ESTATE THAT YOU OWN OR HAVE ANY INTEREST IN, WHETHER OR NOT IT IS USED AS YOUR PRIMARY RESIDENCE OR A RENTAL PROPERTY.*

**PLEASE USE ADDITIONAL PAGES FOR EVERY SEPARATE PIECE OF REAL ESTATE THAT YOU OWN.**

Check the type of real estate that you own:  House  Condominium  Vacant Lot  Other

Name(s) on Deed: \_\_\_\_\_

Address of Real Estate: \_\_\_\_\_

Name of Mortgage Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Account Number: \_\_\_\_\_ Date obtained mortgage: \_\_\_\_\_

What is your monthly payment? \_\_\_\_\_ What is the pay-off amount on this mortgage? \_\_\_\_\_

Are you behind in payments?  YES  NO If yes, how many months? \_\_\_\_\_

What do you believe the fair market value of the real estate is today? \_\_\_\_\_

How did you arrive at the value? \_\_\_\_\_ Do you have a Second Mortgage?  YES  NO

### **SECOND MORTGAGE INFORMATION (IF APPLICABLE)**

Name of Mortgage Company: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Account Number: \_\_\_\_\_ Date obtained mortgage: \_\_\_\_\_

What is your monthly payment? \_\_\_\_\_ What is the pay-off amount on this mortgage? \_\_\_\_\_

Are you behind in payments?  YES  NO If yes, how many months? \_\_\_\_\_

### **COLLECTION INFORMATION (IF APPLICABLE)**

Name of Collector or Attorney: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Is this real estate in the process of foreclosure or replevin action?  YES  NO

If in collection, please provide a copy of the court documents you were served.

If your house is in foreclosure, on what day is it going to be sold? \_\_\_\_\_

Do you want to prevent the foreclosure? \_\_\_\_\_

## **LAWSUITS**

Please provide any information that you have regarding any lawsuits that been filed against you. Include the name and address of the company who has filed a lawsuit against you, the amount the company is suing you for, and the name and address of the attorney who has filed the lawsuit on behalf of the creditor. Also, please let us know the status of the lawsuit, including the name of the court that the case was filed in, the court date, and the result if the matter already went to court.

PLEASE ATTACH ALL PAPERS YOU HAVE FOR ALL COLLECTIONS, JUDGMENTS, AND LIENS.

## **TIMESHARES**

IF YOU OWN ANY TIMESHARES, please tell us if there are any co-owners, the address of the timeshare, the estimated value of the timeshare, the amount owed on the timeshare, and who it is owed to, and whether or not you wish to keep the timeshare.

## **YOUR PERSONAL PROPERTY**

1. If you have cash on hand or in a safe deposit box, please state how much you have.  
\_\_\_\_\_.
2. Do you have a checking account? (NOTE-If your name appears on ANY bank account with anyone else (parent, child, spouse, friend, etc.) for any reason you MUST list it here! You may not exclude it because you don't "really" have access to the money.)  YES  NO If yes, for each one that you have, what bank is it with and how much money is in the checking account as of the day you are filling out this paperwork?  
\_\_\_\_\_  
\_\_\_\_\_
3. Do you have a savings account?  YES  NO  
If you have a savings account, for each one, what bank is it with and how much money is in the savings account as of the date you are filling out this paperwork?  
\_\_\_\_\_  
\_\_\_\_\_
4. Do you have an interest in any insurance policies?  YES  NO  
If so, please state the name of the insurance company and the current cash value policy.  
\_\_\_\_\_
5. Do you own any annuities?  YES  NO  
If so, please state the name of the issuer and the current value of the annuity.  
\_\_\_\_\_
6. Do you have any interest in a Retirement Asset (IRA, 401k, 403(b), 457(b), etc.?)  YES  NO  
If so, please state the name of the issuer and the current value.  
\_\_\_\_\_
7. Do you own any government or corporate bonds?  YES  NO  
If so, please state the type of bonds and the current values.  
\_\_\_\_\_
8. Does anyone owe you any money?  YES  NO  
If so, please state who it is that owes you money and how much is owed.  
\_\_\_\_\_
9. Are you entitled to receive alimony, child support or money from a property settlement from anyone?  YES  NO  
If YES, please describe: \_\_\_\_\_

10. Do you have any equitable or future interests in any OTHER property than that is listed in the Real Property section?  YES  NO

If so, please describe.

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11. Has anyone died from whom you expect to inherit money from?  YES  NO

If so, state when and how much.

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12. Do you have the right to make any claims or file any lawsuits against anyone/anything?

YES  NO

If so, please describe.

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13. Do you have an auto accident claim or a medical malpractice claim pending in which you expect to receive money?  YES  NO

14. Do you own any aircrafts?  YES  NO

15. Do you own any animals that have a sale value?  YES  NO

16. Do you own any crops that have a sale value?  YES  NO

17. Do you own any farm supplies, chemicals or feed?  YES  NO

18. Do you own/have any interest in a business?  YES  NO

If so, please describe your interest in the business.

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What is the business's name? \_\_\_\_\_

19. Do you own any stocks/interests in any incorporated or unincorporated business?  YES

NO

If so, please provide the names and the current value of the stocks

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20. Do you have any interest in any partnerships or joint ventures?  YES  NO

If so, please describe.

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21. Do you own any patents or copyrights?  YES  NO

If so, please describe.

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22. Do you own any licenses or franchises?  YES  NO

If so, please describe.

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23. Do you own any customer lists or other compilations that have a value?  YES  NO

If so, please describe: \_\_\_\_\_

## **YOUR HOUSEHOLD INVENTORY**

For each of the items below that you currently have in your name:  
Provide the EBAY/CRAIGSLIST/YARD SALE VALUE of each item—  
NOT the replacement cost.

Note—if you use the “OTHER” category, you must list what the item is!

<b>Living Room</b>	<b># of item</b>	<b>Value of item(s)</b>	<b>Total Value</b>
Ex. Couches	3	\$75/\$50/\$50	\$175
Couch(es)			
Bookcase(es)			
Desk(s)			
Chair(s)			
Radio(s)			
TV(s)			
Stereo(s)			
VCR/DVD(s)			
Other:			
Other:			
		<b><u>TOTAL ROOM VALUE:</u></b>	<b>\$</b>
<b>Dining Room</b>	<b># of item</b>	<b>Value of item (s)</b>	<b>Total Value</b>
Chair(s)			
Table(s)			
China			
China Closet(s)			
Silverware			
Other:			
		<b><u>TOTAL ROOM VALUE:</u></b>	<b>\$</b>

<b>Bedrooms (ALL)</b>	<b># of item</b>	<b>Value of item (s)</b>	<b>Total Value</b>
All clothing (include shoes, hats, coats)			
Bed(s)			
Chair(s)			
Dresser(s) & nightstand(s)			
Desk(s)			
Lamp(s)			
Vanity(s)			
Radio(s)			
TV(s)			
VCR/DVD(s)			
Computer(s) & accessories			
Other:			
		<b><u>TOTAL ROOM VALUE:</u></b>	<b>\$</b>
<b>Kitchen</b>	<b># of item</b>	<b>Value of item(s)</b>	<b>Total Value</b>
Chair(s)			
Table(s)			
Microwave(s)			
Refrigerator(s)			
Deep freezer(s)			
Dishwasher(s)			
Washing machine (s)			
Dryer(s)			
Stove(s)			
Dishes			
Cookware			
Other:			
		<b><u>TOTAL ROOM VALUE:</u></b>	<b>\$</b>

All other rooms (hall, attic, shed basement, office, etc.)	# of item	Value of item(s)	Total Value
Radio(s)			
TV(s)			
Stereo(s)			
VCR/DVD(s)			
Computer(s) & accessories			
Bookcase(s)			
Desk(s)			
Chair(s)			
Game table(s)			
Sewing machine			
Vacuum cleaner			
Iron			
Camera/Camcorder			
Air Conditioner			
Tools/Power Tools			
Lawnmower(s)			
BBQ/Grill(s)			
Collectibles			
Antiques			
Painting(s)/Artwork			
Gun(s)/Firearm(s)			
Jewelry			
Wedding ring			
Other:			
		<b><u>TOTAL ROOM VALUE:</u></b>	<b>\$</b>

TOTAL OF ALL HOUSEHOLD INVENTORY:  
\$ \_\_\_\_\_

## YOUR MOTOR VEHICLES

Motor vehicles include cars, trucks, SUV's, motorcycles, mobile homes, boats, trailers, campers, etc. that are TITLED IN YOU (OR OUR SPOUSE'S NAME). Print out more sheets if you have more than 2 vehicles.

### **AUTOMOBILE #1:**

Type:  Automobile  Truck  Motorcycle  Mobile Home (Title Only)  Other: \_\_\_\_\_

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Style: \_\_\_\_\_  2dr  4dr  Other

Condition:  Excellent  Good  Fair  Poor  Not running Mileage: \_\_\_\_\_

Name(s) on vehicle title? \_\_\_\_\_

If you still owe money on the car, please provide the following information for the **company** that you make the payment to each month.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Account Number: \_\_\_\_\_ Date Loan Established: \_\_\_\_\_

Monthly Payment: \$\_\_\_\_\_ How many months are you behind in payments? \_\_\_\_

What is your current loan balance on the vehicle? \_\_\_\_\_

What is the estimated value of the vehicle? \$\_\_\_\_\_

How did you determine the value? \_\_\_\_\_

Do you want to keep the vehicle or do you want to surrender the vehicle? \_\_\_\_\_

Have you listed this vehicle as collateral for a personal loan?  YES  NO

### **AUTOMOBILE #2:**

Type:  Automobile  Truck  Motorcycle  Mobile Home (Title Only)  Other: \_\_\_\_\_

Year: \_\_\_\_\_ Make: \_\_\_\_\_ Model: \_\_\_\_\_ Style: \_\_\_\_\_  2dr  4dr  Other

Condition:  Excellent  Good  Fair  Poor  Not running Mileage: \_\_\_\_\_

Name(s) on vehicle title? \_\_\_\_\_

If you still owe money on the car, please provide the following information for the **company** that you make the payment to each month.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Account Number: \_\_\_\_\_ Date Loan Established: \_\_\_\_\_

Monthly Payment: \$\_\_\_\_\_ How many months are you behind in payments? \_\_\_\_

What is your current loan balance on the vehicle? \_\_\_\_\_

What is the estimated value of the vehicle? \$\_\_\_\_\_

How did you determine the value? \_\_\_\_\_

Do you want to keep the vehicle or do you want to surrender the vehicle? \_\_\_\_\_

Have you listed this vehicle as collateral for a personal loan?  YES  NO

## **OTHER MOTOR VEHICLES**

IF YOU OWN ANY OTHER MOTOR VEHICLES, CAMPERS, MOBILE HOMES, TRAILERS, MOTORCYCLES OR SCOOTERS, please provide the same information for that vehicle that was requested above, including whether or not there are any co-owners, the type of vehicle, the current value, whether or not there is a loan on the vehicle, and if so, the name, address and account number of the loan company, and please tell us whether or not you want to keep the vehicle.

## UNSECURED CREDITORS

**THIS IS WHERE YOU LIST THE LARGE MAJORITY OF YOUR DEBTS, INCLUDING CREDIT CARDS, MEDICAL BILLS REPOSESSION AMOUNTS, JUDGMENTS, OVERDUE RENT, UTILITES, ETC.** Please list EVERY creditor that you can think of. Remember, if you do not tell us, and it is not on your credit report, we have no way of knowing that you owe money and the debt will not be listed on your bankruptcy petition.

FOR EACH UNSECURED CREDITOR, PLEASE PROVIDE THE FOLLOWING:

HERE IS AN EXAMPLE OF AN UNSECURED CREDITOR:

**Name:** Bank of America Visa **Account No:** 5555 5555 5555 5555

**Address:** 111 Credit Card Way, Chicago, MI 22222

**Account Balance:** \$5,340.00

**Have you used the account within the past 90 days? Yes. If yes, when, and how much did you charge, and what was it for?** I charged \$300.00 last month and it was for groceries.

**Is this a joint card or just in your name? Joint. If joint, with who?** Husband.

**CREDITOR #1:**

**Name:** \_\_\_\_\_ **Account No.:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Account Balance:** \$ \_\_\_\_\_

**Have you used this account within the past 90 days?**  YES  NO **If yes, when (on what date), and how much did you charge, and what was it for?** \_\_\_\_\_

**Is this card joint or just in your name?** \_\_\_\_\_. **If joint, with who?** \_\_\_\_\_

**CREDITOR #2:**

**Name:** \_\_\_\_\_ **Account No.:** \_\_\_\_\_

**Address:** \_\_\_\_\_

**Account Balance:** \$ \_\_\_\_\_

**Have you used this account within the past 90 days?**  YES  NO **If yes, when (on what date), and how much did you charge, and what was it for?** \_\_\_\_\_

**Is this card joint or just in your name?** \_\_\_\_\_. **If joint, with who?** \_\_\_\_\_

**CREDITOR #3:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

**CREDITOR #4:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

**CREDITOR #6:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

**CREDITOR #7:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

**CREDITOR #8:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

**CREDITOR #9:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

**CREDITOR #10:**

Name: \_\_\_\_\_ Account No.: \_\_\_\_\_

Address: \_\_\_\_\_

Account Balance: \$ \_\_\_\_\_

Have you used this account within the past 90 days?  YES  NO If yes, when (on what date), and how much did you charge, and what was it for? \_\_\_\_\_

Is this card joint or just in your name? \_\_\_\_\_. If joint, with who? \_\_\_\_\_

## SELF-EMPLOYED BUSINESS OWNERS

If you have been self-employed in the past 12 months, please list below the income and expenses your business generated for the past 6 months.

Monthly business income: \$ \_\_\_\_\_

Did you withhold any earnings for tax purposes?  YES  NO

If yes, how much did you withhold monthly? \$ \_\_\_\_\_

Monthly business expenses if (applicable)

Rent and utilities \$ \_\_\_\_\_

Office Supplies \$ \_\_\_\_\_

Product Supplies \$ \_\_\_\_\_

Wages \$ \_\_\_\_\_

Equipment Leases \$ \_\_\_\_\_

Other Business Leases \$ \_\_\_\_\_

Other \_\_\_\_\_ \$ \_\_\_\_\_

Total Monthly Income: \$ \_\_\_\_\_

Total Monthly Expenses: \$ \_\_\_\_\_

Monthly Business Profit: \$ \_\_\_\_\_

Did you file income taxes the years you operated your business?  YES  NO

If not, what years did you NOT file taxes? \_\_\_\_\_

# MONTHLY BUDGET

This form is necessary to determine how much you spend each month on living expenses. Be sure to write in the MONTHLY (not yearly) amounts in the spaces next to each expenditure. For utilities, your bill may be higher in the winter than in the summer, so write an amount that is “average” covering the whole 12-month period.

## Housing Expenses:

Rent (If you don't own your home)	\$ _____
1 <sup>st</sup> Mortgage Payment (mobile home payment)	\$ _____
2 <sup>nd</sup> Mortgage Payment	\$ _____
3 <sup>rd</sup> Mortgage Payment	\$ _____
Home Equity Payment	\$ _____
HOA Payment	\$ _____
Home Insurance (not included in mortgage)	\$ _____
Renter's Insurance	\$ _____
Home Repair (homeowners only)	\$ _____
Food	\$ _____
Clothing	\$ _____
Laundry (dry cleaning, soap, etc.)	\$ _____
Home Equity Payment	\$ _____

## Utilities:

Gas & Electric	\$ _____
Home Telephone	\$ _____
Cellular Telephone	\$ _____
Trash Pick-Up	\$ _____
Internet	\$ _____
Cable	\$ _____

## Car Expenses:

Car Payment	\$ _____
Gasoline	\$ _____
Repair/Maintenance	\$ _____
Oil Changes	\$ _____
Car Insurance	\$ _____
Public Transportation/Tolls/EZ Pass	\$ _____

**Child Care Expenses**

Babysitter/Daycare Expense \$ \_\_\_\_\_  
School Expenses \$ \_\_\_\_\_  
School Lunch Expense \$ \_\_\_\_\_  
College Tuition (not loans) \$ \_\_\_\_\_  
Student Loan Repayment \$ \_\_\_\_\_

**Miscellaneous:**

Union due \$ \_\_\_\_\_  
Alimony/Child Support \$ \_\_\_\_\_  
Professional Dues (not payroll deductible) \$ \_\_\_\_\_  
Medical Expenses (not paid by insurance) \$ \_\_\_\_\_  
Prescriptions (not paid by insurance) \$ \_\_\_\_\_  
Life Insurance \$ \_\_\_\_\_  
Personal Care Items \$ \_\_\_\_\_  
Haircuts \$ \_\_\_\_\_  
Newspapers, books, magazines \$ \_\_\_\_\_  
Charitable Giving (if claimed on taxes) \$ \_\_\_\_\_

**OTHER:** Use the space to describe additional monthly expenses you must pay out-of-pocket:

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## STATEMENT OF FINANCIAL AFFAIRS

Have you ever filed a bankruptcy proceeding before?  YES  NO

If yes: Give full details of when and where:

---

Have you lived in any other state in the two (3) years before this bankruptcy?  YES  NO

If yes: Give complete address and dates (month & year):

---

Do you owe OR are you paying child support, alimony, or support payments?  YES  NO

If yes: Give the name and last known address for each person whom support is owed:

---

Did you own or sell any real estate in the past three (3) years?  YES  NO

If so, please describe: \_\_\_\_\_

---

Does anyone owe you money OR do you have a claim against anyone?  YES  NO

If so, please describe: \_\_\_\_\_

---

Has anyone died from whom you might inherit?  YES  NO

If so, please describe: \_\_\_\_\_

---

Have any of you assets or property (other than payments to creditors) been sold or transferred in the last three (3) years?  YES  NO

If yes, provide the name of the asset/property & the complete name, address, date and consideration received: \_\_\_\_\_

---

Have you paid any single creditor more than \$600 in the past 90 days?  YES  NO

If yes, who, when and for what? \_\_\_\_\_

---

Have you have made any payments within the last year to any "insider" or for the benefit of any "insider."

An "insider" is a relative, friend, or a business partner.

YES  NO

If so, please describe: \_\_\_\_\_

---

Have you filed all required tax returns for all years prior to this bankruptcy?  YES  NO

Are you entitled to any tax returns?  YES  NO

If so, how much: \_\_\_\_\_

---

Did you get a tax refund last year (federal or state)  YES  NO

If YES, what did you spend it on? \_\_\_\_\_

---

Have you paid any money to lawyer/does a lawyer represent you in any matter?  YES  NO

Are you a party to any lawsuit?  YES  NO

If so, please describe: \_\_\_\_\_

---

Have you suffered any losses from fire, theft, casualty, or gambling debts within the past year?  YES  NO

If so, please describe: \_\_\_\_\_

---

Has your wages been garnished or bank accounts frozen during the last year?  YES  NO

If so, please describe what and how much has been taken from you: \_\_\_\_\_

---

Has any of your property been repossessed or foreclosed by sale or deed in lieu within 1 year immediately preceding the commencement of this case?  YES  NO

If so, please describe: \_\_\_\_\_

---

Have you closed any bank (other than financial) accounts in the past 12 months?  YES  NO

If yes, please provide name of the financial institution, type of account, date closed and reason for closing account:

---

Have you given any utility company a deposit for services?  YES  NO

If so, please name the utility company, and the amount and date of the deposit:

---

Have you transferred, gifted, or sold any property to anyone within 2 years immediately preceding the commencement of this case?  YES  NO

If so, please describe: \_\_\_\_\_

---

Have you transferred any property to a self-settled trust within 10 years immediately preceding the commencement of this case?  YES  NO

If so, please describe: \_\_\_\_\_

---

Have you had any setoffs made by any creditor, including a bank, within the past 90 days?  YES  NO

If so, please describe: \_\_\_\_\_

---

Do you own any pets?  YES  NO

If so, how many pets do you own and what type of pets are they?

---

Do you expect a significant increase or decrease in income over the next year?  YES  NO

If so, please describe: \_\_\_\_\_

Do you have an alarm system?  YES  NO

If so, how much does it cost per month? \_\_\_\_\_

Do you spend money each month to care for elderly, ill or disabled family members?  YES  NO

If so, how much do you spend per month? \_\_\_\_\_

Have you made any payments or charged any single creditor over \$600 within 90 days of the commencement of this case?  YES  NO

If so, please describe: \_\_\_\_\_

Have you made any gifts or charitable contributions of more than \$200 to anyone within the past 2 years?  YES  NO

If so, please state when the gifts or contributions were made, how much they were and who they were made to:

\_\_\_\_\_

You are required to list income from ALL sources that you may receive. Please let us know if you receive any of the following and how much you receive per month?

1. Alimony or Child Support \_\_\_\_\_
2. Unemployment \_\_\_\_\_
3. Social Security \_\_\_\_\_
4. Government Assistance in the form of cash \_\_\_\_\_
5. Retirement Income \_\_\_\_\_
6. Business Income \_\_\_\_\_
7. Any other source not listed \_\_\_\_\_

How much money have you earned so far this year? \_\_\_\_\_

How much money did you earn last year? \_\_\_\_\_

How much money did you earn two years ago? \_\_\_\_\_

## **STATEMENT ABOUT REAFFIRMATION OF CARS AND HOUSES**

A frequent question that arises during bankruptcy is about reaffirmation agreements. As we have probably already told you, you will **NOT** lose your home or give up your car in a bankruptcy as long as you are up to date on your monthly payments. When you file Chapter 7, even though you are **KEEPING** your car or house, you are technically eliminating the debt. You no longer owe the company money, however, the company still holds the lien on the property. That is why it is called a secured debt. The debt is secured by the property, which means if you do not pay it they can take your property. In bankruptcy the debt goes away, but not the lien. Once you are in bankruptcy your car loan company and the mortgage company will sometimes reach out to you to ask you to **REAFFIRM** your debt. They want you to sign a new document saying that even though you filed bankruptcy, you continue to be financially responsible. They do that because they know that if you do not sign a reaffirmation agreement, and for whatever reason in the future you are not able to pay the loan, they will not get any money from you. They will be able to get the property, but not the money, and usually the property is not worth nearly as much as the amount owed. We always advise our clients **NOT** to sign a reaffirmation agreement because there is no advantage to the client. The car loan or mortgage company may tell you that it will be better for your future credit score if you reaffirm your debt. We do not know if that is true or not, and if you want to believe it and reaffirm, that is up to you. We just want you to know that in the event that you are unable to pay the loan or mortgage in the future, and you sign a reaffirmation agreement, you will still be obligated to pay the debt.

We know this is strange and complicated and doesn't seem to make much sense. If you have any questions about it, let us know.

## **YOUR BANK ACCOUNT—PLEASE READ**

Please read the following. We want you to be aware of two things that may happen when you file bankruptcy.

1. If you have a checking account or a savings account with **WELLS FARGO**, we strongly advise you change banks before we file the bankruptcy petition. Whether you owe Wells Fargo any money or not, it tends to freeze bank accounts upon the filing of the bankruptcy petition. This includes **ANY** accounts that you may have with Wells Fargo, on your own or joint with a spouse or another person. So the safest thing to do is remove your money from Wells Fargo and put it in another bank.

2. If you have a checking account or a savings account with **ANY** bank and you **HAVE A DEBT** with that same bank, you should change bank accounts. For example, if you bank with **SECU**, and you have a credit card, car payment or mortgage with **SECU**, you should change banks before we file the bankruptcy petition. The reason is because if you file bankruptcy on a debt from a bank, and that same bank is holding money of yours, the bank has the right to “set-off” your debt with money in the bank account. So, again, if you have any debt to a bank and you have a checking or savings account with that bank, change banks before we file bankruptcy. This rule regarding banks holds true for all banks, including credit unions.

After the bankruptcy is discharged you will be free to bank wherever you choose.

## **IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER**

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities from a bankruptcy petition preparer who is not an attorney. THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST. Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. Although bankruptcy can be complex, many cases are routine.

Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief under the Bankruptcy Code and which form of relief is the most likely to be beneficial for you. Be sure you understand the relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules, and Statement of Financial Affairs, and in some cases a Statement of Intention, need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court. Once your case starts, you will have to attend the required first meeting of the creditors where you may be questioned by a court official called a 'trustee' and by creditors.

If you choose to file a chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts.

If you choose to file a chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your chapter 13 plan and with the confirmation hearing on your plan which will be before a bankruptcy judge.

If you select another type of relief under the Bankruptcy Code other than chapter 7 or chapter 13, you will still want to find out what should be done from someone familiar with that type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.

## Disclosure Pursuant to 11 U.S.C. § 527(a)(2)

You are notified:

1. All information that you are required to provide with a petition and thereafter during a case under the Bankruptcy Code is required to be complete, accurate, and truthful.
2. All assets and all liabilities are required to be completely and accurately disclosed in the documents filed to commence the case. Some places in the Bankruptcy Code require that you list the replacement value of each asset. This must be the replacement value of the property at the date of filing the petition, without deducting for costs of sale or marketing, established after a reasonable inquiry. For property acquired for personal, family, or household use, replacement value means the price a retail merchant would charge for property of that kind, considering the age and condition of the property.
3. The following information, which appear on Official Form 22, Statement of Current Monthly Income, are required to be stated after reasonable inquiry: current monthly income, the amounts specified in section 707(b)(2), and, in a case under chapter 13 of the Bankruptcy Code, disposable income (determined in accordance with section 707(b)(2)).
4. Information that you provide during your case may be audited pursuant to provisions of the Bankruptcy Code. Failure to provide such information may result in dismissal of the case under this title or other sanction, including criminal sanctions.

**WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note.**

**UNITED STATES BANKRUPTCY COURT NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE**

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a joint case (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

**1. Services Available from Credit Counseling Agencies**

**With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis.** The briefing must be given within 180 days **before** the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

**In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge.** The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

**2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors**

**Chapter 7: Liquidation (\$245 filing fee, \$75 administrative fee, \$15 trustee surcharge: Total fee \$335)**

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their

existing debts. Debtors whose debts are primarily consumer debts are subject to a “means test” designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny Form B 201A, Notice to Consumer Debtor(s) Page 2 your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

### **Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income** **(\$235 filing fee, \$75 administrative fee: Total fee \$310)**

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### **Chapter 11: Reorganization (\$1,167 filing fee, \$550 administrative fee: Total fee \$1,717)**

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$75 administrative fee: Total fee \$275)**

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

**3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials**

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at [http://www.uscourts.gov/bkforms/bankruptcy\\_forms.html#procedure](http://www.uscourts.gov/bkforms/bankruptcy_forms.html#procedure).

**Note: Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1009(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.**

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## **BANKRUPTCY SERVICES AGREEMENT**

This agreement is entered between \_\_\_\_\_ (Client) and the Law Offices of David L. Ruben, P.A. (DLR) for purposes of outlining the terms by which DLR will provide bankruptcy representation and services to Client in exchange for legal fees paid by Client to DLR. DLR shall provide the following services to Client.

- a. Initial counseling regarding the availability of Chapter 7 or Chapter 13 bankruptcy and the various benefits of each.
- b. Preparation and filing of the bankruptcy petition in the Bankruptcy Court for the District of Maryland, including payment of filing fees.
- c. Representation of Client at the initial meeting of creditors. Client understands and agrees that David L. Ruben, Esquire, will not necessarily be attending the meeting of creditors, but may delegate that responsibility to one of his associate attorneys or another attorney.
- d. If amendments are required to be made to the bankruptcy petition because Client failed to disclose certain information prior to the case being filed, Client may be charged a fee of \$75.00 for each amendment.
- e. An adversarial proceeding meaning that a creditor has filed a Complaint for Non-Dischargeability. This rarely happens, but can happen. Client understands that representation in the adversarial proceeding is expressly excluded by this agreement. DLR does not handle adversarial proceedings, rather, at Client's request, DLR will refer Client to a qualified attorney who will undertake representation on terms and conditions agreed by Client and the new attorney.

## ATTORNEY FEES AND FILING FEES

DLR has agreed to accept the following fees in exchange for the above referenced services. The filing fees and credit report fees are separate and apart from the fees charged by DLR. Client agrees that all fees are earned upon payment and receipt.

**CHAPTER 7** - \_\_\_\_\_ plus \$335.00 filing fee for a total of \_\_\_\_\_ to be paid by Client to DLR before the bankruptcy case can be filed with the bankruptcy court.

**CHAPTER 13** - \_\_\_\_\_ plus \$310.00 filing fee for a total of \_\_\_\_\_ to be paid by the client to DLR before the bankruptcy can be filed with the bankruptcy court. An additional \_\_\_\_\_ will be paid by Client to DLR through the Chapter 13 bankruptcy plan. Client hereby assigns and expressly authorizes the Trustee to forward funds they are holding for DLR to be applied toward any outstanding attorney fees.

Client and DLR agree that there shall be a \$150.00 non-refundable fee for opening up a bankruptcy file. In the event that Client decides not to pursue the bankruptcy for any reason before the petition is prepared by DLR, client will be refunded all monies except \$150.00. If Client decided not to pursue the bankruptcy for any reason after the petition is prepared DLR client will be refunded only the filing fee.

In order to ensure that we include all your creditors, DLR will obtain all three credit reports for each person who files a Chapter 7 or Chapter 13 bankruptcy. DLR uses a service that costs DLR \$38.00 for an individual and \$73.00 for a married couple. The cost of the credit report will be paid by Client.

If Client has a wage garnishment and has had more than \$600.00 taken from Client's paycheck or bank account by a creditor within 90 days immediately prior to the bankruptcy filing, Client may be entitled to the return of those funds. DLR will pursue that money for Client and use our best efforts to collect. DLR will not charge Client for our efforts if our efforts are unsuccessful. However, if DLR is able to recover funds for Client, DLR will be paid an additional 33% of the amount recovered. Client agrees to have the funds paid directly to DLR for disbursement for Client.

It is Client's obligation to notify DLR if a garnishment, repossession or foreclosure is pending, or if a notice of a specific date for a foreclosure or wage garnishment has been received by Client. It is Client's obligation and duty to check his/her mail each day so that Client is aware of what actions might be taken against them by a creditor. It is not the obligation or responsibility of DLR to investigate if any said actions are pending against Client.

Unless otherwise agreed, DLR will not file Client's case with the court until DLR has received all of attorney fees and filing fees, along with all of the requested information and documentation.

Client has read this agreement and understands all of the terms. Client understands that all fees are earned upon receipt.

\_\_\_\_\_  
Date

Client: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Date

DLR: \_\_\_\_\_

