

Avoiding Malpractice in Consumer Cases

Karen L. Kellett, Moderator

Armstrong Kellett Bartholow P.C.; Dallas

Hon. August B. Landis

U.S. Bankruptcy Court (D. Nev.); Las Vegas

Allan D. NewDelman

Law Office of Allan D. NewDelman, P.C.; Phoenix

Lenard E. Schwartzer

Schwartzner & McPherson Law Firm; Las Vegas



AMERICAN
BANKRUPTCY
INSTITUTE

DISCOVER



search
search.abi.org

NEW Online Tool Researches ALL ABI Resources



***Online Research for \$295*
per Year, NOT per Minute!***




With ABI's New Search:

- One search gives you access to content across ALL ABI online resources -- *Journal*, educational materials, circuit court opinions, *Law Review* and more
- Search more than 2 million keywords across more than 100,000 documents
- FREE for all ABI members

One Search and You're Done!
search.abi.org

*Cost of ABI membership

66 Canal Center Plaza • Suite 600 • Alexandria, VA 22314-1583 • phone: 703.739.0800 • abi.org

Join our networks to expand yours:   

© 2015 American Bankruptcy Institute All Rights Reserved.

ABI SOUTHWEST CONFERENCE

SEPTEMBER 11, 2015

LAS VEGAS, NEVADA

Moderator:

Karen L. Kellett, Esq.
Armstrong Kellett Bartholow PLLC
11300 N. Central Expy. - Suite 301
Dallas, Texas 75243
(214) 696-9000
Web: <http://www.armstrongattorneys.com>

Speakers:

Honorable August B. Landis
Bankruptcy Court Judge
U.S. Bankruptcy Court
District of Nevada
(702) 527-7010
Web: <http://www.nvb.uscourts.gov>

Lenard E. Schwartzer, Esq.
Schwartz & McPherson Law Firm
2850 S. Jones Blvd - #1
Las Vegas, Nevada 89146
(702) 228-7590
Web: <http://www.s-mlaw.com>

Allan D. NewDelman, Esq.
Allan D. NewDelman, P.C.
80 E. Columbus Avenue
Phoenix, Arizona 85012
(602) 264-4550
Web: <http://www.adnlaw.net>

AVOIDING MALPRACTICE IN CONSUMER BANKRUPTCY CASES

I. PRIOR TO FILING

A. Know your potential client.

1. Investigation - full or limited.
 - a. Public records search
 - b. Check PACER for prior bankruptcy filings (<http://www.pacer.gov>)
 - i. Review case history
 - ii. Difficult client syndrome - multiple filings with multiple attorneys. Were prior attorneys paid?
 - c. Expense of hiring an outside search agency.

B. Know your limitations. See *Timmerman v. Eich* 809 F. Supp. 2d 932 (N.D. Iowa 2011)

1. Have a working knowledge of all available Chapters even if you do not handle all.
 - a. Pros and cons of Chapter 7
 - i. Eligibility issues - consumer vs. non consumer cases and means testing
 - ii. Exceptions for Debtor with primarily business debts
 - b. Pros and cons of Chapter 11
 - i. Will there be an impaired class - if not, how are you going to confirm a plan? Will there be a section 1111(b) issue. Make sure client understands exactly what can and cannot happen in a cram down situation before filing the case. Absolute priority issue if applicable in your circuit.
 - ii. Interest on priority taxes will continue to accrue.
 - iii. Duration
 - iv. US Trustee Fees
 - c. Pros and cons of Chapter 12
 - i. Can modify rights of a creditor secured solely by principal residence makes this Chapter a winner if client qualifies.
 - ii. Cram down issues
 - d. Pros and cons of Chapter 13
 - i. Debt limits.
 - ii. If modifying mortgage secured by investment property client must understand that modified loan must be paid over life of plan unless lender agrees otherwise. Is such financially feasible?
 - iii. Payment of priority tax claims without interest.

2. Initial meeting with potential client

A personal meeting between the client and the attorney is *mandatory*. One court stated, "This court concludes and finds that an attorney, as a debt relief agency, **must provide face to face legal advice to a client, as an assisted person, prior to the filing of the petition and at every critical stage of the bankruptcy proceedings.**" *In re Santiago*, 2011 WL 4056700 (D.P.R. 2011).

Attorneys have "an affirmative duty to conduct a reasonable inquiry into the facts set forth in the Debtor's schedules [and] statement of financial affairs ... before filing them." *In re Withrow*, 405 B.R. 505, 512 (1st Cir. BAP

2009). As a part of this reasonable inquiry, the attorney should sit down in person with his client and carefully review the Schedules, the SOFA, and any other documents to be filed with the court to ensure that all of the representations set forth therein are true and accurate. *In re Nguyen*, 447 B.R. 268, 282–83 (9th Cir. BAP 2011); *In re Tran*, 427 B.R. 805, 809–10 (Bankr.N.D.Cal.2010); see also *In re Daw*, 2011 WL 231362, at *6 n. 14.

In re Stomberg, 487 B.R. 775, 815 (Bankr. S.D. Tex. 2013); *In re Bradley*, 495 B.R. 747, 778–79 (Bankr. S.D. Tex. 2013) (same).

- a. Ask the right questions - get the right answers. Don't always believe what you are told.
 - b. Understand the client's expectations. Are they realistic? If not, can you get him/her to understand? Document conversations dealing with gray areas.
 - i. Achievable results
 - ii. Non-achievable results
 - iii. Unreasonable expectations
 - iv. Litigious nature of client
 - v. Negative attitude of client as a warning of things to come
 - vi. Outline critical issues with client
 - c. Emergency filings
 - i. Danger of incomplete filings. *In re Mattson, M.D., LLC*, 2010 WL 4102293 (Bankr.N.D.Ga. 2010) (attorney required to disgorge entire fee for filing skeletal petition for a dissolved entity for the purpose of delaying eviction).
 - ii. Failure to consider alternatives. *Leonard v. Wessell (In re Jackson)*, 92 B.R. 987 (Bankr.E.D.Pa. 1988) (malpractice based on failure to advise client of potential state court alternatives to filing bankruptcy to prevent foreclosure).
3. Recognize issues that will guide a client to the correct Chapter.
- a. Consumer who owns a LLC or corporation
 - i. Which Chapter to utilize to protect the debtor's interest - does the entity have any real value?
 - ii. Don't file Chapter 7 unless you have a good feel for how trustees in your locale will handle this issue - especially if your client cares about the entity.
 - b. Equity in exempt property. Does a Chapter 7 Trustee get the appreciation over the allowed exemption? Should the property be abandoned sooner rather than later? Know the answers before filing and have an exit strategy if something goes wrong after filing.
 - c. What will happen if you try to convert your client's case from one Chapter to another. Issues of bad faith conversion and no automatic right under *Marrama v. Citizens Bank of Massachusetts*, 549 U.S. 365 (2007)
 - d. Dischargeability of income tax debt. Miscalculating the deadlines for discharging federal income tax liabilities is malpractice. *Green v White*, 494 SE2d 681 (GA 1997); *In re Brooks*, 2010 WL 1734774 (Bankr.E.D.Va. 2010); *In re Saunders*, 2003 WL 23239155 (Bankr.S.D.Fla. 2003) Relying on debtor's statement that he filed his tax returns "on time" (but in reality he filed his tax returns after an extension) resulting in the non-

- discharge of a federal income tax liability is malpractice. *Moore v Tillis*, not reported (Cal.Super.Ct. 2000) (attorney failed to identify to the client the difference between the tax return due date and the filing date); *In re Larsen*, 224 B.R. 812 (Bankr.D.Wyo. 1997) (attorney failed to advise debtor to file a short year tax return to make some income tax a pre-petition debt in a Chapter 13 case).
 - e. Dischargeability of other claims. *Peltz v. Shidler*, 952 P.2d 793 (Colo.App.1997) (the debtor's Florida attorney allowed a default fraud judgment to be entered and the debtor's Colorado bankruptcy attorney failed to advise her of the consequences).
 - f. Failure to protect exemptions. *In re Riccitelli*, 320 B.R. 483 (Bankr.D.Mass. 2005) (alleged malpractice in failing to ascertain, prior to filing bankruptcy petition, that debtor had not filed declaration of homestead needed to claim state law homestead exemption in his residence, and failing to file such a declaration before he filed bankruptcy petition); *In re de Hertog*, 412 B.R. 24 (Bankr.D.Conn. 2009) (malpractice for disallowance of their claim for a homestead exemption in the Residence).
 - g. Failure to Prepare schedules properly. *In re Tomaio*, 205 B.R. 10 (Bankr.D.Mass 2007) (breached of duty by negligently advising [the Debtor] to file bankruptcy, by preparing and filing a defective chapter 11 petition, by failing to adequately cure the errors and omissions relative to the petition, by failing to properly handle [the Debtor's] bankruptcy proceedings, and by failing to advise [the Debtor] of his rights, duties and obligations as a debtor resulting in the Debtor being found guilty of criminal bankruptcy fraud)
- 4. Make the client do the work.
 - a. You do not know what the client owns or owes.
 - i. Client (not you) to fill out worksheets in detail.
 - ii. Client to supply documents that support the information in the worksheets.
 - iii. Do it yourself or rely on your paralegal to go over worksheets with client? Paralegal cannot give legal advice and may not see issues as the meeting progresses.
 - iv. Sample client Information Worksheet
- 5. Sign with client.
 - a. Stress signature is under penalty of perjury
 - b. Go over and over issues you spotted - back it up in writing
 - c. The attorney must retain original signatures for the:
 - i. Petition
 - ii. Debtor's Statement of Compliance with Credit Counseling Requirement
 - iii. Declaration Concerning Debtor's Schedules
 - iv. Declaration Under Penalty of Perjury by Individual Debtor regarding Statement of Financial Affairs
 - v. List of Creditors Holding 20 Largest Unsecured Claims (Chapter 11)
 - vi. Debtor's Statement of Intention
 - vii. Certification of Notice to Consumer Debtor(s) Under §342(b) of the Bankruptcy Code

- viii. Declaration - Master Mailing List
 - ix. Statement of Current Monthly Income and Means-Test Calculation
6. Fee Agreements - required. Limits on "unbundling"
- a. Fixed fee
 - b. Hourly fee
 - c. Representation in adversary or contested matters. See *In re Seare* 515 B.R. 599 (9th Cir. BAP 2014)

II AFTER FILING

1. Issues that typically arise.
- a. Defending Motions for Relief
 - i. Is there a colorable defense - maybe not if client files a Chapter 7
 - ii. Stipulations between the parties - thorough explanation to client and have client sign off.
 - b. Procedure stipulations such as extensions of time to respond.
 - i. As a courtesy given to opposing counsel but will client agree or is it something that does not need client approval?
 - c. Working with (not against) the case trustee
 - i. Duty to cooperate - client must understand this.
 - ii. In context of Chapter 7 understanding if a trustee will work with the debtor as it relates to keeping non-exempt property.
 - Will a trustee abandon an asset that the debtor wants?
 - What about offering to purchase back? Create a "controversy" so no open bidding? (The "9019" Compromise)
 - Is attempting to convert to a reorganization a better choice?
2. Fee Applications
- a. Is such required in a Chapter 13
 - i. No-look fixed fee. Still must zealously represent client.
 - ii. Hourly fee. Must be reasonable and client must be kept informed of the cost.
 - iii. To insulate against a fee disputes and future malpractice claims, make sure you do a final fee application which includes turning all prior interim awards into final awards.
 - b. Chapter 11 cases
 - i. Make sure you were properly appointed before submitting a fee application.
 - ii. Client must be kept informed of the cost.
 - iii. To insulate against a fee disputes and future malpractice claims, make sure you do a final fee application which includes turning all prior interim awards into final awards.
 - i. Federal District Court/Bankruptcy Court has jurisdiction
 - a. *In re Simmons*, 205 B.R. 834 (Bankr. W.D. Tex 1997)
 - b. *Grausz v. Englander*, 321 F.3d 467 (4th Cir. 2002)
 - c. *In re Frezin*, 732 F.3d 313 (5th Cir. 2013)

c. **Res Judicata and Collateral Estoppel of Final Fee Orders.**

Court Orders approving fees are res judicata in subsequent malpractice claim. Three Circuit Courts have held that orders deciding final fee applications preclude malpractice claims based on the same legal services. See *Grausz v. Englander*, 321 F.3d 467 (4th Cir. 2003) (legal malpractice); *Iannochino v. Rodolakis (In re Iannochino)*, 242 F.3d 36 (1st Cir. 2001) (legal malpractice in Chapter 13 case); *Osherow v. Ernst & Young, LLP (In re Intellogic Trace, Inc.)*, 200 F.3d 382 (5th Cir. 2000) (accounting malpractice). All three cases involved claims of postpetition malpractice by professionals who were retained with bankruptcy court approval. All three circuit courts held that a claim or defense based upon malpractice involves the same assessment of the nature and quality of professional services provided to the bankruptcy estate and the debtor in possession or trustee that is required when evaluating professional services in connection with a fee application. *Grausz*, 321 F.3d at 473; *Iannochino*, 242 F.3d at 41-42; *Intellogic Trace*, 200 F.3d at 387-88. Accordingly, the failure to raise the malpractice claims when the final fee applications were considered and approved by the bankruptcy court barred any later litigation of such claims under principles of res judicata. *Grausz*, 321 F.3d at 475; *Iannochino*, 242 F.3d at 49; *Intellogic Trace*, 200 F.3d at 391. In all three cases, the circuit courts found that the party raising the malpractice claim could have and should have raised the issue in connection with the bankruptcy court's consideration of the final fee applications. *Grausz*, 321 F.3d at 474; *Iannochino*, 242 F.3d at 43; *Intellogic Trace*, 200 F.3d at 388-89.

The circuit courts further explained that a contested fee application matter would become an adversary proceeding in accordance with Federal Rule of Bankruptcy Procedure ("Rule") 3007 if an objection to the application included a claim for affirmative relief based on alleged malpractice by a professional because a final fee application is a claim and an objection to such a claim, when combined with a claim for monetary damages, is a demand for relief of the kind specified in Rule 7001. *Grausz*, 321 F.3d at 474, 471; *Iannochino*, 242 F.3d at 48; *Intellogic Trace*, 200 F.3d at 389-90; Fed. R. Bankr. P. 7001(1).

This same issue was considered by the D.C. Circuit in *Capitol Hill Group v. Pillsbury, Winthrop, Shaw, Pittman, LLC*, 569 F.3d 485 (D.C.Cir. 2009) *aff'd* 569 F.3d 485 (D.C.Cir.2009). In the *Capitol Hill* case, the circuit court affirmed *569 the district court's grant of summary judgment in favor of a former bankruptcy professional sued for malpractice by a reorganized debtor. Shaw, Pittman had represented Capitol Hill Group ("CHG") as bankruptcy counsel. Citing to the *Intellogic Trace* case, the circuit court held the malpractice case was barred by the res judicata impact of the bankruptcy court's order allowing Shaw, Pittman's fees, and it upheld the district court's finding that "all three counts of the plaintiff's complaint (legal malpractice, breach of contract and breach of fiduciary duty), arose from the same nucleus of facts as the fee application disputes that were previously decided in bankruptcy court." 574 F.Supp.2d at 149 (D.D.C.2008).

In *Shaw v. Replogle (In re Shaw)*, 2000 WL 1897344, at *7 (N.D.Cal.2000), the district court held that a former debtor's suit for professional negligence arising out of a law firm's representation during her bankruptcy was barred not only by res judicata, but also by collateral estoppel as the bankruptcy judge specifically considered the allegations of malpractice when awarding fees to the law firm.

AASI Creditor Liquidating Trust v. Raymond James & Associates, Inc. (In

re All American Semiconductor, Inc.), 427 B.R. 559 (Bankr.S.D.Fla. 2010), also held that both res judicata and collateral estoppels barred a lawsuit against the debtor's professionals (financial advisor) after final orders were entered for retention and payment of fees. The Liquidating Trustee appointed pursuant to debtors' confirmed Chapter 11 plan (in a second Chapter 11 case) brought adversary proceeding to recover the \$330,000 that had been paid to debtors' financial advisor prepetition (in the first Chapter 11 case) on breach of contract, fraudulent transfer and unjust enrichment theories. Financial advisor moved to dismiss on preclusion grounds. The bankruptcy court held:

Under these circumstances, the Court finds that the complaint challenging the reasonableness of the pre-petition fees including the quality of the services for which these fees were paid, is barred by *res judicata*, the issue of the reasonableness of those pre-petition fees being a claim that was based on the same nucleus of operative facts as those considered at the time the retention motion and the fee application were heard.

319 B.R. at 436.

In *Freishtat v. Blair (In re Blair)*, 319 B.R. 420 (Bankr.D.Md. 2005), special counsel to Chapter 11 trustee brought adversary proceeding for determination that debtor's principal was barred, on res judicata or judicial estoppel grounds, from pursuing legal malpractice claims against him based on his actions during bankruptcy case. The Bankruptcy Court held that the prior order of bankruptcy court upholding right of trustee's special counsel to 40% contingency fee specified in his court-approved employment agreement would be given claim preclusive effect in subsequent malpractice action brought by debtor's principal against this same attorney based on alleged deficiencies in legal work supporting fee award.

In *Pidcock v. Goddard (In re SII Liquidation Co.)*, 2014 WL 5325930 (Bankr.N.D. Ohio 2014), the liquidating trustee under the Chapter 11 Plan brought an action against the debtor's financial advisor alleging breach of fiduciary duty which resulted in a sale of debtor's assets at a lower price which benefitted insiders. The Bankruptcy Court held that its previous orders approving Defendants' fee applications bar the present claims pursuant to the doctrine of res judicata.

The But-

To determine whether an issue should have been litigated in an earlier lawsuit, the Sixth Circuit says that "[w]here the two causes of action arise from the 'same transaction, or series of transactions,' the plaintiff should have litigated both causes in the first action and may not litigate the second issue later." *Holder v. City of Cleveland*, 287 Fed.App'x 468, 471 (citing *Rawe*, 462 F.3d 521, 529). Clearly, both the fee applications and the present claims center on Defendants' provision of services to Debtor during the bankruptcy proceeding, thereby satisfying the "same transaction" requirement. **However, rote application of this test doesn't account for Plaintiff's position that unknown or concealed facts hampered his ability to object to the fee applications and bring the claims then.**

This concern is buttressed by the analysis used in other circuits. For example, in the Fifth Circuit, one item the court examines is "whether and to what extent [Plaintiff] had actual or implied awareness prior to the fee hearing of a real potential for claims against [the professionals] such as now alleged and of their likely consequences before the hearing." *Intelogic*

Trace, Inc., 200 F.3d at 388. In *Intellogic Trace*, the court concluded that the Plaintiff had “sufficient general awareness of the real potential for claims against Ernst & Young ... Although the Board may not have been aware of all the precise facts, the Board knew the numbers were flawed” and had questioned the value of the services based on the outcomes. *Id.* at 389.

The Third Circuit employs a similar review: **‘look at the date the final fee order was entered ... and ask whether by that time [the plaintiff] knew or should have known there was a real likelihood that [he] had a malpractice claim.’** *Capital Hill Grp. v. Pillsbury, Winthrop, Shaw Pittman, LLC*, 569 F.3d 485, 492 (citing *Grausz*, 321 F.3d 467, 474). If the facts show the plaintiff knew or should have known, the issue should have been litigated in the first suit. Consequently, what Plaintiff knew and when is material. This requires a detailed review of Plaintiff's history with this case.

Pidcock v. Goddard (In re SH Liquidation Co.), 2014 WL 5325930, *9-10 (Bankr.N.D. Ohio 2014).

In *Epstein v. Visher*, 1997 WL 231108 (N.D. Cal. 1995), the malpractice claim against debtor's counsel was barred based on *res judicata*. The District Court held:

Even if plaintiffs are correct that the bankruptcy court was not required to consider the quality of the services rendered by defendant, this Court still finds that plaintiffs have failed to create a genuine issue of material fact in the present case. For purposes of *res judicata*, it is immaterial whether or not the issue of defendant's competence was actually litigated. Rather, **for a claim to be barred by *res judicata*, a party need only show that the claim arose out of a common nucleus of operative facts, and therefore should have been litigated at the time of the earlier proceeding.**

Epstein v. Visher, No., 1997 WL 231108, at *5 (N.D. Cal. Mar. 24, 1997) (emphasis added) *aff'd sub nom. In re Epstein*, 152 F.3d 924 (9th Cir. 1998)(unpublished decision).

3. Maintain all work product and keep all files secure for future potential problems.
4. Maintain appropriate malpractice insurance.

AMERICAN BANKRUPTCY INSTITUTE

ALI AND D. NEWDELMAN, P.C.
80 EAST COLUMBUS AVENUE
PHOENIX, ARIZONA 85012
(602) 264-4550

CLIENT INFORMATION WORKSHEETS Revised 11/01/09

CHAPTER _____

AMOUNT OF RETAINER: \$ _____

NAME OF CLIENT: _____

EVERY CLIENT MUST MAKE AN APPOINTMENT TO REVIEW THESE WORKSHEETS – DO NOT MAIL OR DROP OFF THESE WORKSHEETS. THESE WORKSHEETS ARE SPECIFICALLY DESIGNED BY THIS OFFICE TO COMPLY WITH THE BANKRUPTCY LAWS. DO NOT USE SUBSTITUTES OR CREATE YOUR OWN VERSION. THESE WORKSHEETS MUST BE COMPLETED IN YOUR OWN HANDWRITING AND THE HANDWRITING MUST BE CLEAR AND LEGIBLE!!

THE BANKRUPTCY LAWS ARE VERY COMPLICATED. YOU WILL WANT TO READ EACH AND EVERY INSTRUCTION, QUESTION ETC. BEFORE COMPLETING THIS PACKET. IF YOU DO NOT FOLLOW EACH AND EVERY INSTRUCTION AND COMPLETE EACH AND EVERY QUESTION BEFORE YOU BRING THIS PACKET BACK, WE WILL NOT BE ABLE TO PROPERLY PROCESS YOUR CASE.

1. *If any question is not fully answered, this Office will be unable to properly process your case. If you fail to include a FULL AND COMPLETE address for each creditor this Office will be unable to properly process your case.*
2. *You must supply with these worksheets, the following documentation. If you fail to include each and every item that applies to you, as requested, this Office will be unable to properly process your case:*
 - A. *Copy of Deeds to all real estate you own or to which your name is on the title. This includes houses, raw land, time shares, commercial buildings, etc.* _____
 - B. *Copy of all closing statements or settlement statements from the sale of any real estate within the past two years.* _____
 - C. *Copy of all real estate appraisals done within the past two years* _____
 - D. *Copy of the Certificate of Title OR registration if you do not have the title to all vehicles that you own or to which your name is on title* _____
 - E. *If you have an interest in a family or beneficial trust, a copy of the trust and documentation of any property contained in that trust for the past ten (10) years. and 2013 and 2014* _____
 - F. *Copy of your ~~2010~~, 2011 and, if done, 2012 State and Federal Tax Returns.* _____
 - G. *The Credit Counseling Certificate(s) that you must have in order to file bankruptcy* _____

- H.**
- 1. Last six (6) months pay stubs from each employer.**
 - 2. If self employed (and not operating as a corporation or LLC), Profit & Loss statements for past six (6) months.**
 - 3. If operating as an LLC or corporation, a full and complete accounting of ALL draws taken out of the entity and/or payments by the entity for your personal bills for the past (6) months**

- I. If on any type of government assistance, proof of payment of that assistance for the past six (6) months**
- J. If you receive pension income, proof of payment of that income for the past six (6) months.**
- K. If you receive disability income, proof of payment of that income for the past six (6) months.**
- L. If you receive financial assistance from your family or friends, proof of that assistance for the past six (6) months.**
- M. If you have a roommate and the roommate contributes to the support of the household living expenses, proof of that support for the past six (6) months.**
- N. Last six (6) months of bank statements from each account that you have or that your name is on. This includes checking accounts, savings accounts, money market accounts, custodial accounts, e-trade accounts, IRA accounts, Roth IRA accounts, Educational IRA accounts, Employee retirement plan accounts, Medical Savings Plans, etc.**

AMERICAN BANKRUPTCY INSTITUTE

- O. TWO billing statements or correspondences from each creditor and/or collection agency or collection attorney that was received within the past ninety (90) days. _____
- P. All loan documents for the purchase of vehicles, household goods and appliances, jewelry, stereos, televisions, computers, furniture (including beds) and the like. _____
- Q. A copy of your driver's license and Social Security Card. If filing with your spouse, this requirement is for both of you. _____
- R. If you have been divorced within the past 8 years, a copy of: _____
Divorce decree _____
Property settlements _____
Child support orders (past & present) _____
Spousal maintenance orders (past & present) _____
Evidence that you have made payments on any support obligation for the past six (6) months. _____

If you are not current in your support payments, you must supply a statement from the Department of Economic Security or other government authority as to the total amount of your delinquency. If you dispute what is owed, for either Child Support or Spousal Maintenance, you will have to go back to State Court for that determination. This Law Firm DOES NOT handle domestic relations matters and will not litigate the entitlement to or amount of support you owe.

DO NOT REMOVE YOUR NAME FROM ANY BANK ACCOUNT, AUTOMOBILE TITLE, REAL ESTATE DEED OR ANY OTHER PROPERTY! DO NOT TRANSFER OR SELL TO ANYONE, ANY PROPERTY WHATSOEVER. WITHOUT FIRST CONSULTING WITH AN ATTORNEY!

Client Verification:

Each and every document requested by "A" through "R" above has been attached or is not applicable in my/our case. Each page has been initialed by me/us.

Debtor

Date

Joint Debtor (Spouse, if Debtor is married)

Date

2015 SOUTHWEST BANKRUPTCY CONFERENCE

US10409

DEBTOR (HUSBAND IF MARRIED
AND FILING JOINT BANKRUPTCY)

JOINT DEBTOR (WIFE IF
MARRIED AND FILING JOINT)

FULL NAME: _____
STREET ADDRESS: _____
MAILING ADDRESS: _____
COUNTY: _____
HOME PHONE: _____
WORK PHONE: _____
CELL PHONE: _____
EMAIL: _____
SOCIAL SECURITY NO: _____

WHAT OTHER NAMES HAVE YOU USED IN THE LAST SIX (6) YEARS, THIS INCLUDES MAIDEN NAMES, TRADE OR SOLE PROPRIETORSHIP NAMES (BUT NOT CORPORATION OR LLC NAMES):

HAVE YOU MET WITH A COUNSELOR FROM A CREDIT COUNSELING AGENCY? ____ YES ____ NO

IF YES: NAME OF THE AGENCY: _____
ADDRESS OF THE AGENCY: _____
PHONE NUMBER OF THE AGENCY: _____
DATE ATTENDED: _____
DID YOU AND YOUR SPOUSE EACH OBTAIN A "CERTIFICATE OF COMPLIANCE"
YES ____ NO ____
YOU AND YOUR SPOUSE MUST SUPPLY THIS FORM WITH THE CERTIFICATE OF COMPLIANCE BEFORE YOUR CASE IS FILED.

YOU MUST MEET WITH A CREDIT COUNSELING AGENCY **BEFORE** FILING BANKRUPTCY AND YOU (AND YOUR SPOUSE IF FILING JOINTLY) MUST OBTAIN A CERTIFICATE OF COMPLIANCE THAT IS ISSUED BY THE CREDIT COUNSELING AGENCY. THE CERTIFICATE OF COMPLIANCE **MUST** BE FILED WITH THE COURT WHEN YOU FILE BANKRUPTCY. IN GENERAL, YOU WILL NOT BE ELIGIBLE TO FILE BANKRUPTCY UNTIL YOU CERTIFY THAT YOU HAVE MET THIS REQUIREMENT.

HAVE YOU PREVIOUSLY FILED A BANKRUPTCY PETITION? ____ YES ____ NO IF YES:

1. DATE FILED: _____ LOCATION FILED: _____
CHAPTER FILED: _____ CASE NUMBER: _____
STATUS OF CASE: _____

If you have filed more than ONE case within the past eight (8) years, list the additional cases on the back of this page.

HAS AN IMMEDIATE FAMILY MEMBER OR BUSINESS PARTNER FILED A BANKRUPTCY PETITION?
____ YES ____ NO IF YES:

DATE FILED: _____ LOCATION FILED: _____
CHAPTER FILED: _____ CASE NUMBER: _____
WHAT IS THE RELATION TO YOU: _____
STATUS OF CASE: _____

Revised 5/12/94

REAL PROPERTY

LIST ALL REAL ESTATE WHICH INCLUDES YOUR HOME (IF YOU OWN IT); UNIMPROVED LAND, RENTAL PROPERTY YOU OWN, COMMERCIAL PROPERTY, TIME SHARES, PROPERTY THAT YOUR NAME IS ON BUT YOU BELIEVE IS OWNED BY SOMEONE ELSE, ETC.

IS YOUR NAME ON THE TITLE TO ANY REAL ESTATE, TIME SHARES OR BURIAL PLOTS REGARDLESS OF LOCATION INSIDE OR OUTSIDE OF THE UNITED STATES AND REGARDLESS OF THE "TRUE" OWNER?:

YOU MUST CHECK ONE:

YES: _____

NO: _____

If your answer was NO go to page 2

YOUR RESIDENCE:

HOW LONG HAVE YOU LIVED AT YOUR RESIDENCE? _____

Address of Property: _____

Value of Property: \$ _____ Amount of Lien on Property: \$ _____

Who owns the property: _____ Debtor _____ Joint Debtor _____ Both

OTHER REAL ESTATE INCLUDING TIME SHARES, COMMERCIAL PROPERTY, RENTAL PROPERTY ETC.:

1) Address of Property: _____

Value of Property: \$ _____ Amount of Lien on Property: \$ _____

If rented out, the amount of rent received each month \$ _____

Who owns the property: _____ Debtor _____ Joint Debtor _____ Both

2) Address of Property: _____

Value of Property: \$ _____ Amount of Lien on Property: \$ _____

If rented out, the amount of rent received each month \$ _____

Who owns the property: _____ Debtor _____ Joint Debtor _____ Both

3) Address of Property: _____

Value of Property: \$ _____ Amount of Lien on Property: \$ _____

If rented out, the amount of rent received each month \$ _____

Who owns the property: _____ Debtor _____ Joint Debtor _____ Both

Initial here _____

PERSONAL PROPERTY

1. Cash on Hand \$ _____

**IF YOU HAVE ANY, AND I MEAN ANY ACCOUNTS AT WELLS FARGO -
CLOSE THEM BEFORE FILING. WELLS FARGO **WILL** FREEZE THE
ACCOUNT EVEN IF YOU DO NOT OWE ANY MONEY TO IT OR ONE OF ITS
AFFILIATES. **DO NOT** BANK AT WELLS FARGO IF YOU FILE
BANKRUPTCY!!!!!!**

2. Checking Account #1: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

Checking Account #2: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

Checking Account #3: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

Checking Account #4: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

Checking Account #5: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

Savings Account #1: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

Savings Account #2: Name of Bank _____ Value: \$ _____

Account No. _____ Who owns property _____ Debtor _____ Joint Debtor _____ Both _____

3. Security Deposit with Landlord: Amount \$ _____

///

///

Intentionally left blank

///

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

Valuing Personal Property

You are to value all personal property based upon "garage sale value". Estimate what your neighbor would pay you for the item. Please let the attorney know if there is any item that you own that you know has substantial value, such as a large home entertainment system, an expensive silver set, art work, jewelry etc.

4. Household goods and furnishings:

ITEM:	HOW MANY	VALUE (garage sale value)
BEDROOM SETS		
Bed	_____	\$ _____
Head Board	_____	\$ _____
Dresser	_____	\$ _____
Night stand	_____	\$ _____
DINING TABLE & CHAIRS	_____	\$ _____
CLOTHES WASHER/DRYER	_____	\$ _____
END TABLES	_____	\$ _____
KITCHEN TABLE & CHAIRS	_____	\$ _____
LAMPS :	_____	\$ _____
LIVING ROOM CHAIRS	_____	\$ _____
LOVESEATS / SOFA	_____	\$ _____
REFRIGERATORS	_____	\$ _____
STOVE	_____	\$ _____
RUGS	_____	\$ _____
TELEVISIONS		
Big Screen (42" or more)	_____	\$ _____
Other TVs	_____	\$ _____
RADIO/ALARM CLOCK	_____	\$ _____
VACUUM	_____	\$ _____
STEREO SYSTEM		
Receiver	_____	\$ _____
Speakers	_____	\$ _____
CD Player	_____	\$ _____
Cassette Player	_____	\$ _____
Turntable	_____	\$ _____
SEWING MACHINE	_____	\$ _____
TYPEWRITER	_____	\$ _____
FINE CHINA& STEM WARE	_____	\$ _____
FINE SILVERWARE	_____	\$ _____
DISHES	_____	\$ _____
GLASSES	_____	\$ _____
SILVERWARE	_____	\$ _____
MICROWAVE OVEN	_____	\$ _____
VCR/DVD PLAYER	_____	\$ _____
COMPUTERS	_____	\$ _____
PRINTERS ETC	_____	\$ _____

Initial here _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

OTHER:

5. Books: \$ _____
 Pictures/paintings: \$ _____
 Art Objects: \$ _____
 Collections: \$ _____

Are any of the above items insured or have any been appraised? Yes _____ No _____
 If "Yes" Describe item and value: _____ \$ _____
 Be sure to supply a copy of the insurance policy or appraisal.

6. Clothing of Debtor(s): \$ _____

7. Jewelry: IN ADDITION TO THE ITEMS LISTED BELOW YOU MUST DISCLOSE ANY JEWELRY THAT MAY HAVE VALUE OF MORE THAN \$100.00. THIS INCLUDES, BUT IS NOT LIMITED TO, WATCHES, PRECIOUS GEMS, DIAMONDS, ETC.

Wedding/Engagement rings \$ _____ (Purchase price: \$ _____)
 Lady's watch \$ _____ (Brand name: _____)
 Man's watch \$ _____ (Brand name: _____)
 Other: _____ \$ _____
 _____ \$ _____

If any of these items are insured or have been appraised, you must supply a copy of the insurance policy or the appraisal.

8. Firearms: _____ \$ _____ If None check here _____
 _____ \$ _____

Do any of your firearms have value as a "collectable"? Yes _____ No _____

If "Yes", explain: _____

If any are collectable and you have either an insurance policy or an appraisal, make sure you supply a copy.

Sports, hobby equipment and musical instruments:

If None check here _____

9. Insurance Policies:
 Policy #1

If None check here _____

Face Value \$ _____ Cash Value \$ _____

Who is insured: _____

Who is policy with: _____

Policy Number: _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

Policy #2

Face Value \$ _____ Cash Value \$ _____
Who is insured: _____
Who is policy with: _____
Policy Number: _____

Policy #3

Face Value \$ _____ Cash Value \$ _____
Who is insured: _____
Who is policy with: _____
Policy Number: _____

10. Annuities: Value: \$ _____ Who is account with: _____ If None check here _____

11. Pension or profit-sharing plans (THIS INCLUDES 401K PLANS, ROTH IRA, REGULAR IRA, PROFIT SHARING PLANS OR ANY OTHER "RETIREMENT" TYPE PLAN EITHER SET UP BY YOUR EMPLOYER OR YOU):

IF NONE check here _____

Account No #1: Who is account with: _____
Value of Account \$ _____ Who owns account: _____ Debtor _____ Joint Debtor

Account No #2: Who is account with: _____
Value of Account \$ _____ Who owns account: _____ Debtor _____ Joint Debtor

Account No #3: Who is account with: _____
Value of Account \$ _____ Who owns account: _____ Debtor _____ Joint Debtor

Account No #4: Who is account with: _____
Value of Account \$ _____ Who owns account: _____ Debtor _____ Joint Debtor

Account No #5: Who is account with: _____
Value of Account \$ _____ Who owns account: _____ Debtor _____ Joint Debtor

12. Stock and interest in incorporated and unincorporated companies (THIS INCLUDES ANY CORPORATIONS OR LLC'S TO WHICH YOU OWN STOCK OR ARE A MEMBER. IT ALSO INCLUDES ANY "OVER THE COUNTER" OR "PENNY STOCK" WHICH YOU OWN EITHER DIRECTLY OR THROUGH A BROKERAGE COMPANY):

If NONE check here _____

Name of Company: _____
Value of Stock: \$ _____ Number of Shares or % of ownership: _____
Who owns stocks: _____ Debtor _____ Joint Debtor _____ Both

Name of Company: _____
Value of Stock: \$ _____ Number of Shares or % of ownership: _____
Who owns stocks: _____ Debtor _____ Joint Debtor _____ Both

Initial here _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

Name of Company: _____
Value of Stock: \$ _____ Number of Shares or % of ownership: _____
Who owns stocks: _____ Debtor _____ Joint Debtor _____ Both _____

13. Interest in Partnerships:

If None check here _____

Name of Partnership: _____
Name of other partners: _____
% of interest in partnership _____

14. Government and corporate bonds and other negotiable and non-negotiable instruments:

If None check here _____

Value: \$ _____ Explain details: _____

15. Accounts Receivable:

If None check here _____

Value: \$ _____ Who owes the money _____
Value: \$ _____ Who owes the money _____

16. Family support you are entitled to:

If None check here _____

Amount received monthly \$ _____ child support _____ spousal support _____
\$ _____ child support _____ spousal support _____

17. Tax refunds that are currently owed to you:

If None check here _____

\$ _____ Name of Agency: _____ For Tax Year(s) _____
\$ _____ Name of Agency: _____ For Tax Year(s) _____

18. Equitable and future interests, life estates and rights or powers (THIS INCLUDES ANY INTEREST YOU MAY HAVE IN A FAMILY, REVOKABLE OR IRREVOKABLE TRUST):

If NONE check here _____

Value: \$ _____ Explain details: _____

19. Interest in an estate of a decedent:

If NONE check here _____

- A. Value: _____ Explain details: _____
B. Do you anticipate receiving an inheritance in the next six months? Yes _____ No _____
C. Have you given up your rights to an inheritance within the past four years? Yes _____ No _____

20. Other contingent and unliquidated claims:

If None check here _____

Value: \$ _____ What is claim for: _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

21. Patents, copyrights and other intellectual property: If None check here _____
 Value \$ _____ Explain details: _____
22. Licenses, franchises and other general intangibles: If None check here _____
 Value: \$ _____ Explain details: _____
 Value: \$ _____ Explain details: _____
23. Cars, Trucks, trailers, & motorcycles: (Use "Private Party Value"-Try www.kbb.com Kelley Blue Book value)

If None check here _____

Automobile #1: Year _____ Make & Model: _____ Miles: _____
 Value of vehicle: \$ _____ Amount of Lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

Automobile #2: Year _____ Make & Model: _____ Miles: _____
 Value of vehicle: \$ _____ Amount of Lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

Automobile #3: Year _____ Make & Model: _____ Miles: _____
 Value of vehicle: \$ _____ Amount of Lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

Automobile #4: Year _____ Make & Model: _____ Miles: _____
 Value of vehicle: \$ _____ Amount of Lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

24. Boats, motors and accessories: If None check here _____

Item #1: Year _____ Make & Model: _____
 Value of vehicle: \$ _____ Amount of Lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

Item #2: Year _____ Make & Model: _____
 Value of vehicle: \$ _____ Amount of Lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

25. Aircraft and accessories: If None check here _____

Type: _____ Value: \$ _____ Amount of lien: \$ _____
 Who owns vehicle: _____ Debtor _____ Joint Debtor _____ Both

26. Office equipment, furnishings and supplies: (list each item-use Garage Sale Value)
If None check here _____

	Value: \$ _____
	Value: \$ _____
	Value: \$ _____

Initial here _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

27. Machinery, fixtures, equipment and supplies: (list each item-use Garage Sale Value)

If None check here _____

Value: \$ _____

28. Inventory:

If None check here _____

Value: \$ _____

29. Family Pets (dogs, cats, etc), livestock, poultry and other animals: (list each one)

If None check here _____

Value: \$ _____

30. Crops:

If None check here _____

Value: \$ _____

31. Farming equipment and implements: (list each item-use Garage Sale Value)

If None check here _____

Value: \$ _____

Value: \$ _____

32. Farm supplies, chemicals and feed: (list each item)

If None check here _____

Value: \$ _____

Value: \$ _____

33. Other personal property not already listed: (list each item-use Garage Sale Value)

Value: \$ _____

Value: \$ _____

34. Personal Injury, wrongful death, wrongful employment termination, medical or legal malpractice claims or any other claim you have against anyone regardless of whether or not you intend to pursue the claim:

Do you have such a claim? Yes _____ No _____ If "Yes":

Date of injury, job termination or other: _____

Describe nature of injury or loss: _____

How much you think the loss is worth? \$ _____

Have you spoken to or hired an attorney to pursue the claim? Yes _____ No _____

If "yes" list:

Name of Attorney: _____ **

Address: _____

Phone Number: _____

** If you have hired an attorney you MUST advise the attorney that you are filing bankruptcy. Your attorney must contact this Office to make arrangements to be approved by the bankruptcy court to continue representing you.

Initial here _____

Revised 1/9/05/06

SECURED PROPERTY

RESIDENTIAL HOME MORTGAGES: This is the home you live in. This section is not to be used for other real property, commercial or residential. It is for your home only.

1st Mortgage:

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____

Are you current on your payments: _____ yes _____ no

If no, how many payments have you missed: _____ # of payments \$ _____ payment amount

Are you keeping or surrendering the property: _____

2nd Mortgage:

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____

Are you current on your payments: _____ yes _____ no

If no, how many payments have you missed: _____ # of payments \$ _____ payment amount

Are you keeping or surrendering the property: _____

3rd Mortgage:

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____

Are you current on your payments: _____ yes _____ no

If no, how many payments have you missed: _____ # of payments \$ _____ payment amount

Are you keeping or surrendering the property: _____

Initial here _____

OTHER REAL PROPERTY YOU OWN-EITHER COMMERCIAL OR RESIDENTIAL
INCLUDING VACANT LAND AND TIME SHARES FOR WHICH YOU OWE MONEY

If you own more than one piece of real estate please make a copy of this page and fill it out accordingly.

Property Address: _____
If the property is rented: Monthly rental received: _____

1st Mortgage:

Name of Creditor: _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

2nd Mortgage:

Name of Creditor: _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

3rd Mortgage:

Name of Creditor: _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

AUTOMOBILE AND OTHER VEHICLE (BOAT, RV, TRAILER QUADS ECT.) LOANS:

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____
Which vehicle secures this loan: year _____ make _____ model _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no
If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____
Which vehicle secures this loan: year _____ make _____ model _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no
If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____
Which vehicle secures this loan: year _____ make _____ model _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no
If yes: Name and address _____

Initial here _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____

Which vehicle secures this loan: year _____ make _____ model _____

Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____

Are you current on your payments: _____ yes _____ no

If no, how many payments have you missed: _____ # of payments \$ _____ payment amount

Are you keeping or surrendering the property: _____

OTHER SECURED DEBTS:

This includes furniture, appliances, televisions, computers, stereos, cam corders, jewelry and any other larger purchase made on a charge card that WAS NOT a Visa, Master Card, American Express or Discover Card. This also includes any loan you acquired where you gave the lender a list of your household items. You must indicate the replacement value of each item. Remember, the Bankruptcy Code defines "replacement value" as "the price a retail merchant would charge for property of that kind, considering the age and condition of the property at the time value is determined".

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____

What property secures this loan: _____

Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no

If yes: Name and address _____

Are you current on your payments: _____ yes _____ no

If no, how many payments have you missed: _____ # of payments \$ _____ payment amount

Are you keeping or surrendering the property: _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

If you have MORE THAN THREE (3) additional secured creditors please make a copy of this page and fill it out accordingly.

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____
What property secures this loan: _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no
If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____
What property secures this loan: _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no
If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

Name of Creditor _____
Address of Creditor: _____

DATE OF PURCHASE: _____

Account Number: _____ Amount owed: \$ _____
What property secures this loan: _____
Value of Property: \$ _____ Is anyone else responsible: _____ yes _____ no
If yes: Name and address _____
Are you current on your payments: _____ yes _____ no
If no, how many payments have you missed: _____ # of payments \$ _____ payment amount
Are you keeping or surrendering the property: _____

TAX DEBTS / PRIORITY DEBTS/BACK CHILD SUPPORT AND/ OR BACK SPOUSAL SUPPORT

NOTE: If you have not filed all Federal and State Tax Returns you have approximately 30 days from the date your Case is filed to prepare, sign and deliver all missing State and Federal Tax Returns to your attorney. The attorney will file the returns for you with the bankruptcy units of the taxing agencies. If you fail to file all missing State and Federal Tax Returns SEVEN (7) DAYS PRIOR to your First Meeting of Creditors, your case will be dismissed.

If you are filing a Chapter 11 or Chapter 13 you must file all post petition tax returns on time and pay all amounts due on those Returns. If you fail to do so, your case may be dismissed.

If you are filing a Chapter 11 or Chapter 13 and you have a court ordered child support or spousal maintenance payment, if you fail to pay all post petition payments under the court order your case may be dismissed.

HAVE YOU FILED ALL REQUIRED STATE AND/OR FEDERAL TAX RETURNS, NO MATTER IF FOR YOU PERSONALLY OR YOUR BUSINESS? THIS INCLUDES BUT IS NOT LIMITED TO, PERSONAL INCOME TAX RETURNS, CORPORATE, LLC OR PARTNERSHIP RETURNS AND SALES TAX RETURNS.

Yes _____ No _____

If your answer was NO, list the following:

Type of Return not filed:	_____	Year or Quarter _____	Federal or State (circle one)
Type of Return not filed:	_____	Year or Quarter _____	Federal or State (circle one)
Type of Return not filed:	_____	Year or Quarter _____	Federal or State (circle one)

CLIENT VERIFICATION

I/we understand that if I/we fail to timely file all past due tax returns I/we will face dismissal of my/our case. In addition, I/we understand that if I/we fail to file all future tax returns and pay all future spousal support/child support obligations (if applicable) I/we may face dismissal of my/our case.

Debtor

Date

Joint Debtor (if married)

Date

AMERICAN BANKRUPTCY INSTITUTE

List all back taxes, back spousal support, back child support owed:

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

If tax debt: type of tax: _____ year(s) owed: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

If tax debt: type of tax: _____ year(s) owed: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

If tax debt: type of tax: _____ year(s) owed: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

If tax debt: type of tax: _____ year(s) owed: _____

CLIENT VERIFICATION

I/we understand that if I/we fail to timely file all past due tax returns I/we will face dismissal of my/our case. In addition, I/we understand that if I/we fail to file all future tax returns and pay all future spousal support/child support obligations (if applicable) I/we may face dismissal of my/our case.

Debtor _____

Date _____

Joint Debtor (if married) _____

Date _____

Initial here _____

GENERAL UNSECURED DEBTS

List all credit cards, medical bills, personal loans, student loans, personal guarantees, broken leases, repossessions, family loans, loans from friends, and all other debts not already listed:

PLEASE NOTE – YOU **MUST** INCLUDE THE FOLLOWING:

- A. FULL AND COMPLETE MAILING ADDRESSES. IF IT IS A CREDIT CARD, USE THE BILLING INQUIRY ADDRESS ONLY.
- B. FULL AND COMPLETE ACCOUNT NUMBERS.
- C. AS INSTRUCTED EARLIER, YOU ARE TO SUPPLY TWO BILLING STATEMENTS OR CORRESPONDENCES FROM EACH CREDITOR AND/OR COLLECTION AGENCY, AND/OR COLLECTION ATTORNEY THAT YOU RECEIVED WITHIN THE PAST NINETY (90) DAYS.

IF YOU FAIL TO SUPPLY A CORRECT INQUIRY ADDRESS AND/OR ACCOUNT NUMBER FOR ANY CREDITOR THE DEBT WILL NOT BE PART OF YOUR BANKRUPTCY. THIS IS A REQUIREMENT OF THE NEW LAW.

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: ____ yes ____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: ____ yes ____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no
If yes, Name and address of party: _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: ____ yes ____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: ____ yes ____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: ____ yes ____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: ____ yes ____ no

Initial here _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no

If yes, Name and address of party: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: ____ yes ____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no

If yes, Name and address of party: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: ____ yes ____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no

If yes, Name and address of party: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: ____ yes ____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: ____ yes ____ no

If yes, Name and address of party: _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

AMERICAN BANKRUPTCY INSTITUTE

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

Name of Creditor _____
Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____
Type of Debt: (i.e. credit card, medical, etc) _____
Is anyone else responsible for the Debt: _____ yes _____ no
If yes, name and address: _____
Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no
If yes, Name and address of party: _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

If you have MORE THAN FOUR (4) additional creditors please make a copy of this page and fill it out accordingly

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: _____ yes _____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no

If yes, Name and address of party: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: _____ yes _____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no

If yes, Name and address of party: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: _____ yes _____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no

If yes, Name and address of party: _____

Name of Creditor _____

Address of Creditor: _____

Account Number: _____ Amount owed: \$ _____

Type of Debt: (i.e. credit card, medical, etc) _____

Is anyone else responsible for the Debt: _____ yes _____ no

If yes, name and address: _____

Has this debt be assigned to a collection agency and/or an attorney: _____ yes _____ no

If yes, Name and address of party: _____

AMERICAN BANKRUPTCY INSTITUTE

LEASES & CONTRACTS (Amended 1/31/05)

Please list any leases which you are a party to. [i.e. apartment leases, car leases, commercial space etc.]

Name of party you signed lease with: _____

Address of party: _____

What is lease for: _____

Term of Lease: _____ Monthly payment: \$ _____

Name of party you signed lease with: _____

Address of party: _____

What is lease for: _____

Term of Lease: _____ Monthly payment: \$ _____

Name of party you signed lease with: _____

Address of party: _____

What is lease for: _____

Term of Lease: _____ Monthly payment: \$ _____

EMPLOYMENT / BUSINESS INFORMATION

DEBTOR

SPOUSE

Marital Status: _____

Age: _____

Occupation: _____

Length of Employment: _____

Employer Name: _____

Employer Address: _____

DEPENDENTS

Name: _____

Age: _____

Relationship: _____

Name: _____

Age: _____

Relationship: _____

Initial here _____

INCOME (period 1/21/08)

BEFORE YOU CAN EVEN THINK ABOUT FILING BANKRUPTCY, THE INCOME YOU HAVE RECEIVED FROM ANY SOURCE FOR THE PAST SIX MONTHS MUST BE DISCLOSED. THE AMOUNT OF INCOME YOU HAVE RECEIVED OVER THE PAST SIX MONTHS WILL DETERMINE WHAT BANKRUPTCY YOU CAN FILE. ANY SOURCE INCLUDES BUT IS NOT LIMITED TO THE FOLLOWING:

1. All wages earned in the past six months from any and all employers
2. All tips received from your place of employment
3. All commissions received from any source
4. All draws taken from your's or anyone else's business
5. All payments received for child support and/or spousal maintenance
6. Any and all early distributions (not loans) taken from retirement plans or IRA accounts
7. All payments for disability, pension, retirement, government assistance (unemployment compensation, food stamps, adoption subsidies etc.)
8. All financial assistance given to you from your friends and family
9. All contributions made by those living with you (roommates, significant others, etc.) to support the rent or mortgage, utilities, etc.
10. IF YOU ARE MARRIED AND NOT SEPARATED FROM YOUR SPOUSE, YOU ARE TO INCLUDE YOUR SPOUSES INCOME AS DESCRIBED ABOVE, EVEN IF HE OR SHE IS NOT FILING WITH YOU.

WARNING: IF YOU DO NOT DISCLOSE ALL INCOME THAT YOU HAVE RECEIVED FOR THE SIX MONTHS BEFORE FILING YOU MAY BE SUBJECT TO CRIMINAL CHARGES AND THE DISMISSAL OF YOUR CASE.

TO ASSIST THIS FIRM IN DETERMINING WHAT BANKRUPTCY YOU CAN FILE YOU ARE TO MAKE SURE YOU SUPPLY US WITH VERIFICATION OF THE PAST SIX MONTHS OF INCOME AS LISTED ABOVE AND AS INSTRUCTED IN THE BEGINNING OF THIS PACKET. IN ADDITION, YOU ARE TO ADVISE THIS FIRM IF YOU RECEIVE ANY TYPE OF SOCIAL SECURITY INCOME, EVEN THOUGH SUCH INCOME IS NOT CONSIDERED BY THE COURT.

CLIENT VERIFICATION

I/we understand that if we fail to disclose all income we have received for the six (6) months prior to filing bankruptcy, no matter where the money came from, I/we may be subject to criminal prosecution and the dismissal of my/our case. In an effort to assist my/our attorney with calculating my/our ability to file bankruptcy, I/we have included with this packet all requested documentation pertaining to all income received from any source.

Debtor

Dated

Joint Debtor (If married)

Dated

AMERICAN BANKRUPTCY INSTITUTE

Debtor

Spouse (even if not filing)

How often are you paid:

How often are you paid:

_____ Weekly _____ 2 times a month

_____ Weekly _____ 2 times a month

_____ every 2 weeks _____ monthly

_____ every 2 weeks _____ monthly

*****PLEASE LIST AMOUNTS FOR WAGES, TAXES, & OTHER DEDUCTIONS THAT YOU RECEIVE EACH PAY PERIOD - THIS OFFICE WILL FIGURE THE AMOUNTS ON A MONTHLY BASIS*****

Gross wages per pay period \$ _____

Gross wages per pay period \$ _____

Estimated overtime: \$ _____

Estimated overtime: \$ _____

Payroll taxes deducted: \$ _____

Payroll taxes deducted: \$ _____

Insurance deducted: \$ _____

Insurance deducted: \$ _____

Union Dues deducted: \$ _____

Union Dues deducted: \$ _____

Other payroll deductions - please specify
\$ _____
\$ _____

Other payroll deductions - please specify
\$ _____
\$ _____

Monthly gross income from operation of business: \$ _____

Monthly gross income from operation of business: \$ _____

Monthly income from real property (rental income): \$ _____

Monthly income from real property (rental income): \$ _____

Monthly interest & dividends: \$ _____

Monthly interest & dividends: \$ _____

Monthly alimony, maintenance, or child support: \$ _____

Monthly alimony, maintenance, or child support: \$ _____

Social Security or government assistance:
\$ _____
\$ _____

Social Security or government assistance:
\$ _____
\$ _____

Pension or retirement: \$ _____

Pension or retirement: \$ _____

Other monthly income: (please specify)
\$ _____
\$ _____

Other monthly income: (please specify)
\$ _____
\$ _____

Initial here _____

CHAPTER 13 TRUSTEE EXPENSE GUIDELINES

September 2013

These expense guidelines are for cases assigned to Russell Brown and Edward Maney. These expense amounts are what the trustees generally consider reasonable and for completing Schedule J, not for completing the Form B22C. Do not put expenses on Schedule J for debts that are included in the Chapter 13 plan payment. Generally, the Trustees will object to direct payment by a debtor of most debts secured by personal property.

Schedule J Categories		Monthly Amounts
1	Mortgage/Rent	Maximum of 35% of gross income
2	Utilities	Electricity \$35 Natural Gas \$30 Telephone (landline) \$20 Other (landline/cell) \$20
3	Home Maintenance (if own home)	\$100
4	Food	Single debtor \$200 Two person \$250 Three person \$300 Four person \$350 For each additional person add to four person amount
5	Clothing	\$80 per person
6	Laundry and dry cleaning	\$25 per person
7	Medical and dental expenses	Actual expenses
8	Transportation	\$240 Reasonable price for public transportation
9	Recreation, clubs, entertainment, cable TV, internet access, newspapers, magazines, and personal care products and services	\$150 single debtor \$225 joint debtors or family
10	Charitable contributions	Actual, 10% to the verified
11	Insurance (not included in home mortgage or rent payments)	a. Homeowner or renter Actual, reasonable and necessary b. Life Actual, reasonable and necessary c. Health Actual, reasonable and necessary d. Auto Actual, reasonable and necessary e. Other Actual, reasonable and necessary
12	Taxes (not already deducted from wages or included in home mortgage payments)	Actual liability
13	Installment or lease payments	a. Auto \$517 per vehicle for debtor and spouse b. Other personal property Actual, reasonable and necessary
14	Alimony, maintenance, or support paid to others	Per court order or verified support order from court
15	Payments for support of additional dependents not living at home	Per court order
16	Regular expenses from operation of business, profession, or farm	Actual, reasonable and necessary, do not include personal debt payments
17	Miscellaneous expenses	\$120 for first debtor, plus \$50 for each add'l person
18	Voluntary 401(k) contributions	Actual

AMERICAN BANKRUPTCY INSTITUTE

MONTHLY EXPENSES

Rent or home mortgage: (Please specify) \$ _____

Does this amount include real estate taxes: _____

Does this amount include property insurance: _____

2nd Mortgage: \$ _____

3rd Mortgage: \$ _____

Electricity & gas (average monthly) \$ _____

Water & garbage (average monthly) \$ _____

Telephone (average monthly) \$ _____

Cellular Telephone: \$ _____

Cable or satellite t.v. services: \$ _____

Other utilities: (please specify)

_____ \$ _____

_____ \$ _____

_____ \$ _____

Home maintenance (repairs and upkeep) \$ _____

Food: \$ _____

Clothing: \$ _____

Laundry and dry cleaning: \$ _____

Medical and dental expenses: \$ _____

Transportation: (no car payments) \$ _____

Recreation, clubs and entertainment, newspapers, etc. \$ _____

Charitable contributions: \$ _____

Private School Tuition (you must supply proof of this) \$ _____

Homeowner's or renter's insurance (not included in mortgage) \$ _____

Life insurance: \$ _____

Health insurance (if not deducted from wages): \$ _____

Auto insurance (monthly amount) \$ _____

Initial here _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

Other insurance: (please specify) _____ \$ _____

Taxes not deducted from wages or in home mortgage: \$ _____

Installment auto payments (including lease payments):

List each vehicle: _____ \$ _____
_____ \$ _____
_____ \$ _____

Other installments not already listed (please specify)

_____ \$ _____
_____ \$ _____

Alimony, maintenance & support paid to others:

\$ _____

Payments for dependents not living at your home:

\$ _____

Operation expenses of business, profession or farm:
(Please fill out business expenses sheet)

\$ _____

Other expenses: (Please specify)

_____ \$ _____
_____ \$ _____
_____ \$ _____

Initial here _____

AMERICAN BANKRUPTCY INSTITUTE

revised 11/03/09]

STATEMENT OF FINANCIAL AFFAIRS

YOU ARE TO ATTACH TO THIS FORM ALL OF YOUR PAY STUBS FOR THE PAST SIX MONTHS OR, IF YOU OPERATE A BUSINESS, A PROFIT & LOSS STATEMENT COVERING THE PAST SIX MONTHS.

IF YOU FAIL TO PROVIDE VERIFIABLE INCOME INFORMATION FOR THE PAST SIX MONTHS WE CANNOT PROPERLY PROCESS YOUR CASE

1. IF YOU ARE A "WAGE EARNER", LIST GROSS INCOME FROM MOST RECENT PAY STUB AND PRIOR YEARS W-2 FORMS. IF YOU ARE SELF EMPLOYED, LIST GROSS REVENUES. IF YOU WORK FOR YOUR OWN LLC OR CORPORATION, LIST YOUR DRAWS FROM THE ENTITY

	<u>HUSBAND</u>	<u>WIFE</u>
Year to Date	\$ _____	\$ _____
Last year	\$ _____	\$ _____
Year before	\$ _____	\$ _____

2. LIST ANY OTHER INCOME RECEIVED MONTHLY, i.e. SOCIAL SECURITY, DISABILITY, PENSION, UNEMPLOYMENT, SPOUSAL OR CHILD SUPPORT, SUPPORT FROM A PARENT, FAMILY MEMBER OR FRIEND, CONTRIBUTION OF A ROOMMATE, RENTAL INCOME, ETC:

Year to date	\$ _____	SOURCE: _____
Last year	\$ _____	SOURCE: _____
Year before	\$ _____	SOURCE: _____

3. HAVE YOU MADE ANY PAYMENTS OF MORE THAN \$600.00 TO ANY CREDITOR WITHIN THE PAST 90 DAYS, THIS INCLUDES MORTGAGE PAYMENTS, AUTO PAYMENTS OR ANY PAYMENT TO ONE PARTICULAR CREDITOR (WHO IS NOT RELATED TO YOU), IF ADDED UP, TOTALS MORE THAN \$600.00 IN THE PAST 90 DAYS. YES _____ NO _____

IF YES, LIST:

A. CREDITOR NAME & ADDRESS:

DATE OF PAYMENT: _____ AMOUNT OF PAYMENT \$ _____

REASON FOR PAYMENT _____ AMOUNT STILL OWED \$ _____

B. CREDITOR NAME & ADDRESS:

DATE OF PAYMENT: _____ AMOUNT OF PAYMENT \$ _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

REASON FOR PAYMENT _____ AMOUNT STILL OWED \$ _____

4. HAVE YOU MADE ANY PAYMENTS TO A FAMILY MEMBER, BUSINESS PARTNER, OR OTHER INSIDER FOR REPAYMENT OF A LOAN OR DEBT WITHIN THE LAST ONE YEAR?

YES _____ NO _____

IF YES, LIST:

A. NAME & ADDRESS OF INSIDER: _____

RELATIONSHIP TO YOU _____

DATE OF PAYMENT: _____ AMOUNT OF PAYMENT \$ _____

REASON FOR PAYMENT _____ AMOUNT STILL OWED \$ _____

B. NAME & ADDRESS OF INSIDER: _____

RELATIONSHIP TO YOU _____

DATE OF PAYMENT: _____ AMOUNT OF PAYMENT \$ _____

REASON FOR PAYMENT _____ AMOUNT STILL OWED \$ _____

- J. HAVE ANY LAWSUITS BEEN FILED AGAINST YOU IN THE PAST ONE YEAR OR HAVE YOU FILED A LAWSUIT AGAINST ANYONE IN THE PAST ONE YEAR? IN ADDITION ARE THERE ANY LAWSUITS STILL PENDING (NOT REDUCED TO JUDGMENT) OR ON APPEAL THAT ARE MORE THAN ONE YEAR OLD?

YES _____ NO _____

IF YES, PLEASE BRING A COPY OF EACH LAWSUIT.

IF YES, PLEASE SPECIFY:

1. CAPTION OF SUIT: _____ vs. _____

CASE NUMBER: _____

COURT NAME: _____

STATUS OF CASE: HAS A JUDGMENT BEEN ENTERED? YES _____ NO _____

IF YES, DATE ENTERED: _____

IF NO, WHAT IS STATUS OF CASE: _____

2. CAPTION OF SUIT: _____ vs. _____

AMERICAN BANKRUPTCY INSTITUTE

CASE NUMBER: _____

COURT NAME: _____

STATUS OF CASE: HAS A JUDGMENT BEEN ENTERED? YES _____ NO _____

IF YES, DATE ENTERED: _____

IF NO, WHAT IS STATUS OF CASE: _____

3. CAPTION OF SUIT: _____ vs. _____

CASE NUMBER: _____

COURT NAME: _____

STATUS OF CASE: HAS A JUDGMENT BEEN ENTERED? YES _____ NO _____

IF YES, DATE ENTERED: _____

IF NO, WHAT IS STATUS OF CASE: _____

IF YOU HAVE OTHER LAWSUITS, PLEASE LIST ON BACK OF THIS PAGE.

6. HAS ANY PROPERTY BEEN ATTACHED, GARNISHED OR SEIZED WITHIN THE LAST YEAR.

YES _____ NO _____

IF YES:

LIST PROPERTY SEIZED: _____ VALUE: \$ _____

CREDITOR INVOLVED _____

DATE OF SEIZURE: _____

7. HAS ANY PROPERTY BEEN REPOSSESSED OR FORECLOSED WITHIN THE LAST YEAR.

YES _____ NO _____

IF YES:

LIST PROPERTY: _____ VALUE: \$ _____

CREDITOR INVOLVED _____

DATE OF REPOSSESSION: _____

8. DESCRIBE ANY ASSIGNMENT OF PROPERTY FOR THE BENEFIT OF CREDITORS MADE WITHIN THE LAST 120 DAYS: _____

LIST NAME & ADDRESS OF ASSIGNEE: _____

TERMS OF ASSIGNMENT OR SETTLEMENT: _____

2015 SOUTHWEST BANKRUPTCY CONFERENCE

LIST ANY AND ALL PROPERTY WHICH HAS BEEN IN THE HANDS OF A CUSTODIAN, RECEIVER, OR COURT-APPOINTED OFFICIAL DURING THE PAST YEAR.

NAME & ADDRESS OF CUSTODIAN: _____
NAME & LOCATION OF COURT: _____
CASE TITLE & NUMBER: _____
DATE OF ORDER: _____
DESCRIPTION & VALUE OF PROPERTY: _____

1. HAVE YOU MADE ANY GIFTS OR CHARITABLE CONTRIBUTIONS WITHIN THE LAST ONE YEAR?

YES _____ NO _____

IF YES LIST:

RECIPIENT NAME & ADDRESS: _____
RELATIONSHIP (IF ANY): _____
DATE OF GIFT: _____
DESCRIPTION & VALUE OF GIFT: _____

1. HAVE YOU SUSTAINED ANY LOSSES DUE TO FIRE, THEFT, CASUALTY, OR GAMBLING WITHIN THE LAST YEAR.

YES _____ NO _____

IF YES, LIST:

DESCRIPTION & VALUE OF PROPERTY: _____
CIRCUMSTANCE OF LOSS: _____
WAS LOSS COVERED BY INSURANCE: YES _____ NO _____
DATE OF LOSS: _____

12. LIST ANY PAYMENTS MADE TO ATTORNEYS FOR DEBT COUNSELING AND/OR ANY DEBT COUNSELING AGENCY.

A. NAME AND ADDRESS OF PAYEE: ALLAN D. NEWDELMAN
80 East Columbus Avenue
Phoenix, AZ 85012

DATE OF PAYMENT: _____
AMOUNT PAID: \$ _____

B. NAME AND ADDRESS OF CREDIT COUNSELING AGENCY: _____

DATE OF PAYMENT: _____
AMOUNT PAID: \$ _____

C. NAME AND ADDRESS OF PAYEE: _____

DATE OF PAYMENT: _____
 AMOUNT PAID: \$ _____

TRANSFERS

3. HAVE YOU SOLD, TRANSFERRED, USED AS COLLATERAL OR OTHERWISE DISPOSED OF **ANY** PROPERTY (NO MATTER HOW SMALL OR INSIGNIFICANT YOU THINK IT IS) WITHIN THE PAST **FOUR** YEARS.

THIS INCLUDES, BUT IS NOT LIMITED TO THE SALE OR TRANSFER OF TITLES TO REAL ESTATE, THE REFINANCING OF REAL ESTATE, THE SALE OR TRANSFER OF VEHICLES (EVEN IF USED AS A TRADE-IN), TRAILERS, TV'S TIMESHARES, STOCKS OR BONDS, JEWELRY, ART OBJECTS, COLLECTABLES, GARAGE SALES, OR THE USE OF SOME ITEM AS COLLATERAL TO SECURE A LOAN OR ANY LOAN TO WHICH YOU GAVE A LIST OF HOUSEHOLD ITEMS OR A VEHICLE TO SECURE IT.

IF YOU FAIL TO DISCLOSE ANY TRANSFER AS DESCRIBED IN THIS SECTION, YOU WILL BE SUBJECT TO POTENTIAL CRIMINAL INVESTIGATION. THIS QUESTION IS TO BE COMPLETED IN EXTREME DETAIL AND YOU ARE TO ATTACH TO THIS FORM ALL DOCUMENTATION SUPPORTING YOUR ANSWER. IF YOU ANSWER "NO" TO THIS QUESTION AND IT TURNS OUT THAT YOU DID TRANSFER OR DISPOSE OF PROPERTY IN THE PAST FOUR YEARS THIS OFFICE WILL NOT TAKE ANY RESPONSIBILITY FOR YOUR ACTIONS IN NOT DISCLOSING. THE BANKRUPTCY CODE REQUIRES DISCLOSURE OF TRANSFERS WITHIN THE PAST TWO YEARS HOWEVER THE STATE OF ARIZONA HAS A FOUR YEAR FRAUDULENT CONVEYANCE STATUTE WHICH CAN AND WILL BE USED BY THE BANKRUPTCY TRUSTEE. IN ADDITION, IF YOU TRANSFERRED PROPERTY IN A STATE OTHER THAN ARIZONA THAT STATE'S FRAUDULENT CONVEYANCE STATUTE MAY BE LONGER THAN FOUR YEARS. THE TRUSTEE COULD UTILIZE THAT STATE'S STATUTE IF APPLICABLE. IF YOU HAVE SOLD, TRANSFERRED OR DISPOSED OF PROPERTY MORE THAN TWO YEARS BUT LESS THAN FOUR YEARS AGO YOU MUST DISCLOSE THE TRANSACTION(S) ON THIS PAGE. YOUR BANKRUPTCY STATEMENT OF FINANCIAL AFFAIRS WILL ONLY LIST THOSE TRANSACTIONS OCURING WITHIN THE PAST TWO YEARS.

HAVE YOU SOLD, TRANSFERRED, REFINANCED OR CHANGED THE TITLE TO OR OTHERWISE DISPOSED OF PROPERTY IN THE PAST FOUR YEARS?

YES _____ (SIGN YOUR NAME)	NO _____ (SIGN YOUR NAME)
YES _____ SPOUSE (SIGN YOUR NAME)	NO _____ SPOUSE (SIGN YOUR NAME)

IF YOU ARE GOING TO LIST MORE THAN THREE (3) TRANSFERS MAKE SURE YOU MAKE A COPY OF THE NEXT PAGE FOR THE ADDITIONAL INFORMATION.

2015 SOUTHWEST BANKRUPTCY CONFERENCE

IF YOU HAVE SIGNED YOUR NAME FOR "YES" YOU ARE TO LIST THE FOLLOWING IN DETAIL:

1. NAME AND ADDRESS OF THE PERSON OR ENTITY TO WHICH YOU SOLD OR TRANSFERRED THE PROPERTY:

IS THE PERSON RELATED TO YOU? YES _____ NO _____

IF "YES" WHAT IS THE RELATIONSHIP? _____

DETAILED DESCRIPTION OF THE PROPERTY _____

VALUE OF THE PROPERTY REGARDLESS OF WHAT YOU RECEIVED FOR IT \$ _____

WHAT DID YOU RECEIVE IN EXCHANGE FOR THE SALE OR TRANSFER (AMOUNT OF CASH, EXCHANGE
OF OTHER PROPERTY, TRADE-IN-VALUE, ETC) _____
DATE OF THE TRANSACTION (CLOSING DATE): _____

2. NAME AND ADDRESS OF THE PERSON OR ENTITY TO WHICH YOU SOLD OR TRANSFERRED
THE PROPERTY:

IS THE PERSON RELATED TO YOU? YES _____ NO _____

IF "YES" WHAT IS THE RELATIONSHIP? _____

DETAILED DESCRIPTION OF THE PROPERTY _____

VALUE OF THE PROPERTY REGARDLESS OF WHAT YOU RECEIVED FOR IT \$ _____

WHAT DID YOU RECEIVE IN EXCHANGE FOR THE SALE OR TRANSFER (AMOUNT OF
CASH, EXCHANGE OF OTHER PROPERTY, TRADE-IN-VALUE, ETC) _____

DATE OF THE TRANSACTION (CLOSING DATE): _____

3. NAME AND ADDRESS OF THE PERSON OR ENTITY TO WHICH YOU SOLD OR TRANSFERRED
THE PROPERTY:

IS THE PERSON RELATED TO YOU? YES _____ NO _____

AMERICAN BANKRUPTCY INSTITUTE

IF "YES" WHAT IS THE RELATIONSHIP? _____

DETAILED DESCRIPTION OF THE PROPERTY _____

VALUE OF THE PROPERTY REGARDLESS OF WHAT YOU RECEIVED FOR IT \$ _____

WHAT DID YOU RECEIVE IN EXCHANGE FOR THE SALE OR TRANSFER (AMOUNT OF CASH, EXCHANGE OF OTHER PROPERTY, TRADE-IN-VALUE, ETC) _____

DATE OF THE TRANSACTION (CLOSING DATE): _____

4. HAVE YOU CLOSED ANY BANK OR FINANCIAL ACCOUNTS WITHIN THE LAST YEAR?
IF YES LIST:

NAME OF INSTITUTION: _____
ACCOUNT NO. & TYPE: _____
BALANCE AT TIME OF CLOSURE: _____
DATE OF CLOSURE: _____
HOW DID YOU SPEND FUNDS: _____

15. DO YOU HAVE A SAFE DEPOSIT BOX. IF YES, LIST:

NAME OF INSTITUTION: _____
WHO HAS ACCESS: _____
DESCRIPTION OF CONTENTS: _____

16. LIST ALL SETOFFS (MONEY TAKEN BY A BANK/CREDITOR FROM AN ACCOUNT TO REPAY A LOAN AT THE SAME BANK AS WHERE YOUR MONEY HAS BEEN DEPOSITED) WITHIN THE PAST 90 DAYS:

NAME & ADDRESS OF CREDITOR: _____
DATE OF SETOFF: _____ AMOUNT OF SETOFF: _____

17. ARE YOU HOLDING, STORING OR OTHERWISE HAVE POSSESSION OF ANY PROPERTY THAT BELONGS TO SOMEONE ELSE?

YES _____ NO _____

IF YES, LIST:

1. NAME AND ADDRESS OF OWNER: _____

DESCRIPTION OF PROPERTY: _____

VALUE OF PROPERTY: \$ _____

LOCATION OF PROPERTY: _____

2. NAME AND ADDRESS OF OWNER: _____

DESCRIPTION OF PROPERTY: _____

VALUE OF PROPERTY: \$ _____

LOCATION OF PROPERTY: _____

18. LIST ANY PRIOR ADDRESS FOR THE LAST THREE (3) YEARS:

1. ADDRESS _____

DATES OF OCCUPANCY: FROM _____ TO _____

2. ADDRESS: _____

DATES OF OCCUPANCY: FROM _____ TO _____

3. ADDRESS: _____

DATES OF OCCUPANCY: FROM _____ TO _____

19. IF EITHER DEBTOR HAS BEEN MARRIED WITHIN THE LAST EIGHT (8) YEARS, PLEASE LIST ALL CURRENT SPOUSES (IF ONLY ONE SPOUSE IS FILING THIS CASE) AND ANY EX-SPOUSES FOR BOTH DEBTORS:

20. A. HAVE YOU RECEIVED ANY NOTICE FROM A GOVERNMENTAL AGENCY THAT YOU ARE IN VIOLATION OF AN ENVIRONMENTAL LAW?
YES _____ NO _____ IF YES, EXPLAIN:

B. HAVE YOU RELEASED ANY HAZARDOUS MATERIALS IN WHICH YOU PROVIDED NOTICE TO ANY GOVERNMENTAL AGENCY?
YES _____ NO _____ IF YES, EXPLAIN:

C. HAVE YOU BEEN A PARTY TO ANY PROCEEDING WITH REGARD TO A VIOLATION ON AN ENVIRONMENTAL LAW?
YES _____ NO _____ IF YES, EXPLAIN:

CLIENT VERIFICATION:

EACH AND EVERY STATEMENT OF FINANCIAL AFFAIRS QUESTION (1-20) HAS BEEN COMPLETELY AND TRUTHFULLY ANSWERED:

Debtor _____

Joint Debtor _____

BUSINESS QUESTIONS: (IF YOU HAVE OPERATED ANY TYPE OF BUSINESS IN THE LAST 6 YEARS, PLEASE ANSWER THE FOLLOWING QUESTIONS) THIS INCLUDES HOME BASED BUSINESSES, CORPORATIONS, PARTNERSHIPS, LLC'S, SOLE PROPRIETORSHIPS OR ANY OTHER BUSINESS (revised 02/07/08)

1. Name of business: _____
 Address of Business : _____
 Nature/Type of Business: _____
 Tax Identification Number: _____
 Date started and ended: _____

Name of business: _____
 Address of Business : _____
 Nature/Type of Business: _____
 Tax Identification Number: _____
 Date started and ended: _____

Name of business: _____
 Address of Business : _____
 Nature/Type of Business: _____
 Tax Identification Number: _____
 Date started and ended: _____

2. List all Bookkeepers & Accountants which kept the books within the last 6 years.
 Name & Address: _____
 Dates services were rendered: _____

Name & Address: _____
 Dates services were rendered: _____

3. Has there been an audit of the books & records of the business. If yes:
 Name & address of auditor: _____
 Date of audit: _____

4. Who is currently in possession of the books & records of the business.
 Name & address: _____

5. List all financial institutions to whom a financial statement was issued within the last 2 years. Name and address: _____
 Date issued: _____
 Name and address: _____
 Date issued: _____

6. Has there been an inventory taken of the business. If yes:
 Date of inventory: _____ Inventory Supervisor: _____
 Dollar amount of inventory: _____ Basis: _____
 Date of inventory: _____ Inventory Supervisor: _____
 Dollar amount of inventory: _____ Basis: _____

Initial here _____

VEHICLE INFORMATION SHEET

****PLEASE FILL OUT FOR EACH VEHICLE YOU HAVE SO THAT WE CAN CALCULATE
THE VALUE OF YOUR VEHICLE ****

YEAR: _____
MAKE: _____
MODEL: _____
STYLE: _____ (i.e. SLT, SL, EX, XLT)
OF DOORS: _____
ENGINE SIZE: _____ (i.e. V6, V8, 1500, 2500)

EQUIPMENT (PLEASE CHECK ALL THAT APPLY)

4 WHEEL DRIVE	_____
AUTOMATIC TRANSMISSION	_____
POWER STEERING	_____
AIR CONDITIONING	_____
DUAL A/C	_____
EXTRA FUEL TANK	_____
CASSETTE	_____
CD PLAYER	_____
CD CHANGER	_____
POWER WINDOWS	_____
POWER DOOR LOCKS	_____
POWER SEATS	_____
TILT WHEEL	_____
CRUISE CONTROL	_____
4 WHEEL ABS	_____
SUN-ROOF	_____
MOON-ROOF	_____
3 rd SEAT	_____
LEATHER INTERIOR	_____
LUGGAGE RACK	_____
TOWING PACKAGE	_____
CUSTOM WHEELS	_____
other:	_____

VEHICLE INFORMATION SHEET

****PLEASE FILL OUT FOR EACH VEHICLE YOU HAVE SO THAT WE CAN CALCULATE
THE VALUE OF YOUR VEHICLE ****

YEAR: _____
 MAKE: _____
 MODEL: _____
 STYLE: _____ (i.e. SLT, SL, EX, XLT)
 # OF DOORS: _____
 ENGINE SIZE: _____ (i.e. V6, V8, 1500, 2500)

EQUIPMENT (PLEASE CHECK ALL THAT APPLY)

4 WHEEL DRIVE	_____
AUTOMATIC TRANSMISSION	_____
POWER STEERING	_____
AIR CONDITIONING	_____
DUAL A/C	_____
EXTRA FUEL TANK	_____
CASSETTE	_____
CD PLAYER	_____
CD CHANGER	_____
POWER WINDOWS	_____
POWER DOOR LOCKS	_____
POWER SEATS	_____
TILT WHEEL	_____
CRUISE CONTROL	_____
4 WHEEL ABS	_____
SUN-ROOF	_____
MOON-ROOF	_____
3 rd SEAT	_____
LEATHER INTERIOR	_____
LUGGAGE RACK	_____
TOWING PACKAGE	_____
CUSTOM WHEELS	_____
other: _____	_____
_____	_____
_____	_____

VEHICLE INFORMATION SHEET

****PLEASE FILL OUT FOR EACH VEHICLE YOU HAVE SO THAT WE CAN CALCULATE
THE VALUE OF YOUR VEHICLE ****

YEAR: _____
MAKE: _____
MODEL: _____
STYLE: _____ (i.e. SLT, SL, EX, XLT)
OF DOORS: _____
ENGINE SIZE: _____ (i.e. V6, V8, 1500, 2500)

EQUIPMENT (PLEASE CHECK ALL THAT APPLY)

4 WHEEL DRIVE	_____
AUTOMATIC TRANSMISSION	_____
POWER STEERING	_____
AIR CONDITIONING	_____
DUAL A/C	_____
EXTRA FUEL TANK	_____
CASSETTE	_____
CD PLAYER	_____
CD CHANGER	_____
POWER WINDOWS	_____
POWER DOOR LOCKS	_____
POWER SEATS	_____
TILT WHEEL	_____
CRUISE CONTROL	_____
4 WHEEL ABS	_____
SUN-ROOF	_____
MOON-ROOF	_____
3 rd SEAT	_____
LEATHER INTERIOR	_____
LUGGAGE RACK	_____
TOWING PACKAGE	_____
CUSTOM WHEELS	_____
other: _____	_____
_____	_____
_____	_____