

BANKRUPTCY QUESTIONNAIRE

Thank you for entrusting your case to Montero Law Group, LLC. We appreciate your business and look forward to assisting you with this matter. **PLEASE READ THE FOLLOWING INSTRUCTIONS CAREFULLY.** This packet has been designed to help you organize the information that you will need to file your case. **Please review and COMPLETE THE ENTIRE packet.** Some of the requested information may apply to more than one (1) question and/or section. Please provide **all** information and documentation requested.

Prior to filing a bankruptcy petition on your behalf, you will need to sign an Engagement Agreement, make escrow deposit(s) to cover the required pre-filing fees and expense escrow, provide this completed Bankruptcy Questionnaire and all of the necessary documents, and complete a credit counseling course. **The ENTIRE pre-filing amount must be paid at or before your signing appointment.** In order to expedite the filing of your case, we require payment in cash, certified funds or via debit card. **WE WILL NOT ACCEPT PAYMENT BY PERSONAL CHECKS OR CREDIT CARD.** The escrow deposit(s) is/are as follows:

	<u>Chapter 7</u>	<u>Chapter 13*</u>	(*NOTE: The amounts outlined herein are required to be deposited with the Firm prior to the filing of a Bankruptcy Case. Actual terms of compensation and expense reimbursement are outlined in the Engagement Agreement)
Minimum Initial Deposit:	\$1,000.00	\$1,000.00	
Balance of Pre-Filing Deposit:	_____	_____	
Court Filing Fee:	\$338.00	\$313.00	
Expense Escrow:	\$100.00	\$500.00	
Total Pre-Filing Retainer:	_____	_____	

NOTE: Under either Chapter, **you will have two (2) additional payments** related to required counseling services, the Credit Counseling and Debtor Education courses, which you must make directly to the company/agency of your choice. As a reminder, do not use a credit card to pay for these courses.

Please Remember: The bankruptcy petition will be prepared from the information/documents you provide and you will be signing the petition **UNDER OATH**. Therefore, it is **YOUR RESPONSIBILITY** to complete these forms truthfully and accurately and to review the petition fully prior to filing. **Federal law severely punishes false oaths, hiding or willfully failing to disclose assets, etc. with fines and/or jail.** In addition, you could lose a discharge. Furthermore, if you do not provide us with complete and accurate information, we cannot assure you that the advice and recommendations we give you are valid and sufficient to protect you or your interest.

*****MONTERO LAW GROUP, LLC, ITS ATTORNEYS AND STAFF KEEP ANY AND ALL INFORMATION DISCLOSED IN THE PREPARATION OF YOUR CASE CONFIDENTIAL; HOWEVER, INFORMATION PROVIDED ON THIS FORM MAY NOT BE SUBJECT TO THE ATTORNEY-CLIENT PRIVILEGE IF THERE IS A CHALLENGE TO THE ACCURACY OF YOUR SWORN STATEMENTS *****

Finally, you may have a pressing legal or financial reason that would require the timely filing of a bankruptcy petition. As such, it is **YOUR RESPONSIBILITY** to notify us of any pending foreclosure sale or other legal deadline in **WRITING**. Oral forms of communication, including voicemail, is not adequate.

Sincerely,

R. Manny Montero, Esq.
Michael A. Ostroff, Esq.

BANKRUPTCY TIMELINE

This information is intended to give you a general outline of the major steps in the average Chapter 7 or Chapter 13 bankruptcy case. You may refer to this information for the basic steps that must be taken for your case to succeed; however, your individual case may proceed differently.

RETAINING THE FIRM; FILLING OUT THE QUESTIONNAIRE; DOCUMENT COLLECTION

There is no formal attorney-client relationship unless and until you have executed a written Engagement Agreement outlining the scope and conditions of representation. At the time you engage the Firm, you will be required to make the minimum escrow deposit outlined above. As such, prior to returning to Montero Law Group, LLC, you should secure the funds necessary to make the initial escrow deposit, complete the questionnaire in its entirety, and gather all requested and relevant documents as applicable to your case. When you are ready with the initial deposit, the completed questionnaire, and have collected all relevant documents, please call the office to make an appointment to meet with a bankruptcy paralegal. **As a reminder, payments must be made in cash, by debit card, or by certified funds. No check or credit card payment will be accepted.** Please note, that if the bankruptcy petition must be filed within two (2) weeks, you should be prepared to pay the full pre-petition escrow deposit upon engagement.

PETITION PREPARATION/CREDIT COUNSELING COURSE

When you file a petition for relief under the U.S. Bankruptcy Code, you are required to truthful and accurately disclose all information as required by statute, rule, and court form. The Firm will draft your petition based on the information and documentation you provide, and may be supplemented by additional information that we are able to collect. *Your cooperation and timely submission of any and all documentation and/or information, including any supplemental documents and/or information that we request, is a non-negotiable requirement for the effective and efficient preparation of your petition.* **You should be prepared to update your income and financial information by saving all pay stubs/proof of income and bank statements from this point forward, and providing copies to our office as you receive them.** While we are preparing your petition, you should complete the first credit counseling requirement, the Credit Counseling Course. Once you receive the certificate, please forward it to our office.

SIGNING APPOINTMENT; CASE FILING

Once you have the remainder of the pre-filing escrow deposit, and the firm has finalized a draft petition for your review, a signing appointment will be set at our office. **When you come for your signing appointment, you should bring (1) the balance of any pre-petition fees in the form of cash, certified funds, or debit card; (2) your most recent pay stub and bank statements; and (3) any additional documentation requested from you.** NOTE: YOU CANNOT SIGN YOUR PETITION IF YOU HAVE NOT PAID THE FULL BALANCE OF THE PRE-PETITION FEES AND/OR YOU HAVE NOT COMPLETED THE CREDIT COUNSELING COURSE. You should also be prepared to be at our office for at least one hour, as last minute changes, updates, or strategic planning may be required to finalize the petition.

After you review and sign your petition in our office, we will file your case electronically. Upon filing, an Order for Relief will be entered immediately and, with certain exceptions, federal law will automatically protect you from further collection activity outside of the bankruptcy process. Your bankruptcy will be assigned a specific case number and Trustee; and a date for the initial Meeting of Creditors and, in Chapter 13 cases, a Confirmation Hearing (discussed more fully below) will be scheduled. Our office will provide a copy of the

filed petition for your records, along with a letter outlining additional responsibilities, your case number, and the date, time, and location of the Meeting of Creditors/Confirmation Hearing. **You should once again review the petition, statements, and schedules for accuracy, and advise our office of any necessary amendments or additions.** You should keep any and all bankruptcy papers in a safe place as you may need to refer to them in the future.

If creditors contact you regarding debts that were included and/or discharged in your bankruptcy, inform them that you have filed for bankruptcy: You can provide your case number and, if applicable, a copy of your discharge order, and direct the creditor to contact the firm. Please keep track of who contacts you: record the name and contact information of the individual, or keep copies of the collection letters. If a creditor continues to contact you after you provide this information, you can contact the office and provide the creditor's information in order that we can take appropriate action.

CHAPTER 13 POST-PETITION PAYMENTS

If you file a Chapter 13 bankruptcy, the letter you receive will also include the information related to your monthly Chapter 13 Plan Payment, including the amount, the date your first payment is due, and the address and/or electronic payment information for where you must send the payments. **IN ORDER FOR YOUR CASE TO SUCCEED, YOUR PLAN PAYMENTS MUST BE MADE ON TIME EVERY MONTH.** There is no excuse for not making your payments on time and the failure to make your payment may demonstrate to the Trustee or the Court that you are unable to comply with the terms of your Plan. If you are unable to make a plan payment on time for any reason, please contact our office immediately. NOTE: ONCE YOUR PLAN IS CONFIRMED, THE BANKRUPTCY COURT WILL ISSUE AN EMPLOYER WAGE GARNISHMENT ORDER FOR POST-CONFIRMATION PLAN PAYMENTS.

Under the Bankruptcy Code, **it is also necessary to continue or resume making all secured debt payments on the property that you intend to keep** (e.g., your house, car, etc.). You must make payment in the amount required by your contract, on or before the contractual due date (Note: there is no grace period in bankruptcy). Failure to make timely or full payments will result in the creditor requesting relief from the Court to foreclose or repossess your property, and you will incur additional fees and expenses under your contract. **Please also note, even if you are current on mortgage and/or other installment payments, your lender may charge and is entitled to recover attorney's fees and costs related to the bankruptcy and any reasonable review.** While this may seem unfair, our Firm has no ability to modify or waive this right; instead, it is an additional cost of filing bankruptcy.

MEETING OF CREDITORS

You are required to attend and participate in one (or more) Meeting(s) of Creditors on a date and time specified by the Court. Normally, these Meetings are being conducted over Zoom: you will need to connect through a device with audio and video capabilities; otherwise, you can usually participate by appearing at our office. The Meeting is conducted by a bankruptcy trustee, who will verify your identity and ask you to confirm under oath that the information provided in your bankruptcy petition, statements, and schedules is true and correct. Creditors may be – but are often not – present during and participate in the Meeting and ask additional questions.

If you have a conflict with the date and/or time of the Meeting, you must advise us immediately. General conflicts due to work schedules or personal preferences are not a sufficiently valid reason to reschedule, and you are expected to prioritize attendance at this Meeting. Failure to appear at this Meeting can result in the dismissal of your case; and you may incur additional attorney fees and costs under the Engagement Agreement.

CONFIRMATION HEARING (CHAPTER 13 CASES ONLY)

After your Meeting of Creditors, a Confirmation Hearing will be held on your proposed Chapter 13 Plan. At this hearing, the Court will determine whether your plan meets the requirements of the Bankruptcy Code or, if not, what additional requirements need to be met. You are REQUIRED to attend any scheduled Confirmation Hearing; however, in many instances, the hearing may be resolved or postponed administratively by agreement of the Trustee, the Debtor, and effected creditors, which may include approval of the plan, or to allow for additional time and/or amendments to the plan to be proposed. While we generally attempt to resolve bankruptcy matters without going to Court, we may not know whether you are excused until the day before the Hearing. As such, do not wait until the last minute to resolve scheduling conflicts. If the proposed plan is denied – whether by agreement or by the Court – our office will work with you to draft and submit a revised plan. Note: A “denial” of confirmation is NOT a dismissal of your case.

DEBTOR EDUCATION COURSE

Prior to you being eligible for a discharge, you will need to complete the second required counseling course. After you receive notice that your case has been filed, you may complete the Debtor Education Course. You will need to provide you case number so do not attempt to complete this course prior to receiving that information. We encourage you to complete it as soon as possible so that you do not delay the entry of a discharge. After completing your Debtor Education Course, please forward a copy of your Debtor Education Certificate to our office so that we may file it with the court. **IF YOU DO NOT COMPLETE YOUR DEBTOR EDUCATION COURSE BY THE DUE DATE STATED ON YOUR NOTICE OF FILING, YOUR CASE MAY BE CLOSED WITHOUT ENTRY OF A DISCHARGE ORDER; AND YOU WILL INCUR ADDITIONAL FEES AND COSTS TO REOPEN THE CASE FOR FILING OF THE CERTIFICATE.**

DISCHARGE ORDER/CASE CLOSING

A bankruptcy discharge generally releases you from personal liability for certain debts incurred before the bankruptcy filing. Again, you should save all bankruptcy related papers, including the Discharge Order, in a safe place as it may be useful in the future.

Not all types of debts are discharged, though which can be may differ depending on the chapter under which you file. Common debts generally exempted from discharge include certain tax debt, student loan debt, domestic support obligations, and government fines and penalties. Also, while a discharge may eliminate your *personal* responsibility for a debt, secured debts remain encumbrances and must be paid if you intend to keep the property. Furthermore, a co-debtor will generally remain liable for any joint debt that is not paid in full through the bankruptcy. **Please note that, even though you may surrender real property through a bankruptcy, you remain personally liable for post-petition homeowners association/condominium dues until the title to property has been transferred out of your name.**

In a Chapter 7 bankruptcy case, you will generally receive an Order of Discharge no sooner than sixty (60) days after the Meeting of Creditors. If your case is not set for administration (meaning there will be no collection and distribution of assets), your case will generally be closed at or within a few days of the entry of discharge. If the Trustee determines that there are assets to be administered, the case can remain open for several months to several years depending on the type of asset(s).

In Chapter 13, you are not eligible for a discharge until you have completed all payments under your plan of reorganization and filed an affidavit requesting discharge.

GENERAL BANKRUPTCY DOS AND DON'TS

Dos –

- **Make all secured payments (mortgage, home equity line, vehicle, etc.) and any homeowners association or condominium dues** on time for any real property you intend to keep
- **Maintain insurance, real estate taxes, and registration fees** for any real property or vehicles you intend to keep
- Make your Chapter 13 Plan Payments on time (Chapter 13 cases only)
- Open all mail from our office, the Court, and the Trustee, and take note of court dates or due dates
- Advise us, or make an appointment, if you have any concerns about your case

Don'ts –

- Use credit cards or other forms of credit while contemplating, or during the pendency of, bankruptcy
- Sell, transfer, donate, or give away any property or money without speaking to us or seeking permission from the Court
- Worry about documents or requests from the Trustee or creditor – if you need to do something or provide some information, we will contact you about it
- Send any documents directly to the Court, Trustee, or a creditor, unless you have first spoken to an attorney or paralegal
- Appear at our office without making an appointment and expect to speak with an attorney or paralegal: Due to our schedules involving court appearances, deadlines, other client appointments, etc., an attorney or paralegal may not be able to attend to you without a previously scheduled appointment.

INITIAL CONSULTATION AGREEMENT, DISCLOSURES, AND REQUIRED NOTICES

Please Note: These disclosures and required notices are required by legislation adopted by Congress in 2005, after intense lobbying by the credit industry. In our opinion, they are designed to scare and intimidate good people who have had bad things happen to them, and need debt relief. They are based on the false assumption that all people who consider bankruptcy relief are dishonest. Please rest assured—so long as you are honest and meet the requirements set out under the law, you are entitled to debt relief. We can guide you through all the requirements of filing for bankruptcy, so long as you provide us accurate and complete information.

Today, I had an initial consultation with Montero Law Group, LLC (the “Firm”). I was advised that the Firm is a debt relief agency as defined in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (“BAPCPA”), and that it helps people file for relief under the bankruptcy code.

There is no charge for the initial consultation. The Firm provides the following services at the initial consultation:

- A description of the relief available, the benefits and the risks of filing for bankruptcy under sections 7, 11, 12 and 13 of the Bankruptcy Code.
- An analysis, based on the information and documents provided by me, if any, of my income, expenses, assets and liabilities. This analysis is only preliminary, since the Firm does not have all of the information and documents that will be required to fully evaluate my situation.
- If it has appeared from this analysis that bankruptcy may be an appropriate remedy for me, a discussion of the information and documents I will need to provide the Firm. If it has appeared from today's analysis that bankruptcy may not be an appropriate remedy for me, a discussion of other possible alternatives.

I have been informed and agree that the Firm will not provide any services or bankruptcy assistance to me at this time, other than specifically stated in this Agreement. It is understood that the Firm will not provide any other legal services to me and will not file bankruptcy for me unless and until I have executed an Engagement Agreement and made the required retainer deposits, the Bankruptcy Questionnaire has been completed, all documents and information requested have been provided, and I have received a certification and budget analysis from an approved credit counseling agency. Should I wish the Firm to provide additional services, I will sign a separate retainer agreement detailing such services and their cost.

ACKNOWLEDGMENT OF RECEIPT

I acknowledge that I have received from Montero Law Group, LLC, a copy of all of the following documents:

1. **This Initial Consultation Agreement**
2. **Notice Mandated By Section 342(b)(1) and 527(a)(1) of the Bankruptcy Code**
3. **Notice Mandated By Section 527(a)(2) of the Bankruptcy Code**
4. **Notice Mandated By Section 527(b) of the Bankruptcy Code**
5. **Notice Mandated By Section 342(b)(2) of the Bankruptcy Code**

If my spouse was not present when I received a copy of these notices, I hereby also acknowledge receipt of said notices on behalf of my spouse, and promise to provide my spouse with either a copy of these notices or the opportunity to read and review the copy I received.

Prospective Client/Assisted Person – Spouse # 1

Date

Prospective Client/Assisted Person – Spouse # 1

Date

Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

You are an individual filing for bankruptcy,
and

Your debts are primarily consumer debts.
Consumer debts are defined in 11 U.S.C.
§ 101(8) as “incurred by an individual
primarily for a personal, family, or
household purpose.”

The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file
under one of four different chapters of the
Bankruptcy Code:

- Chapter 7 — Liquidation
- Chapter 11— Reorganization
- Chapter 12— Voluntary repayment plan
for family farmers or
fishermen
- Chapter 13— Voluntary repayment plan
for individuals with regular
income

You should have an attorney review your
decision to file for bankruptcy and the choice of
chapter.

Chapter 7: Liquidation

	\$245	filing fee
	\$78	administrative fee
+	\$15	trustee surcharge
	\$338	total fee

Chapter 7 is for individuals who have financial
difficulty preventing them from paying their
debts and who are willing to allow their non-
exempt property to be used to pay their
creditors. The primary purpose of filing under
chapter 7 is to have your debts discharged. The
bankruptcy discharge relieves you after
bankruptcy from having to pay many of your
pre-bankruptcy debts. Exceptions exist for
particular debts, and liens on property may still
be enforced after discharge. For example, a
creditor may have the right to foreclose a home
mortgage or repossess an automobile.

However, if the court finds that you have
committed certain kinds of improper conduct
described in the Bankruptcy Code, the court
may deny your discharge.

You should know that even if you file
chapter 7 and you receive a discharge, some
debts are not discharged under the law.
Therefore, you may still be responsible to pay:

- most taxes;
- most student loans;
- domestic support and property settlement
obligations;

- most fines, penalties, forfeitures, and criminal restitution obligations; and
- certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

- fraud or theft;
- fraud or defalcation while acting in breach of fiduciary capacity;
- intentional injuries that you inflicted; and
- death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A-2).

If your income is above the median for your state, you must file a second form—the *Chapter 7 Means Test Calculation* (Official Form 122A-2). The calculations on the form—sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

Chapter 11: Reorganization

	\$1,167	filing fee
+	\$571	administrative fee
	\$1,738	total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy case. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

Chapter 12: Repayment plan for family farmers or fishermen

	\$200	filing fee
+	\$78	administrative fee
	\$278	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

Chapter 13: Repayment plan for individuals with regular income

	\$235	filing fee
+	\$78	administrative fee
	\$313	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

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, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

- domestic support obligations,
- most student loans,
- certain taxes,
- debts for fraud or theft,
- debts for fraud or defalcation while acting in a fiduciary capacity,
- most criminal fines and restitution obligations,
- certain debts that are not listed in your bankruptcy papers,
- certain debts for acts that caused death or personal injury, and
- certain long-term secured debts.

Warning: File Your Forms on Time

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to:

<http://www.uscourts.gov/forms/bankruptcy-forms>

Bankruptcy crimes have serious consequences

- If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.
- All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

Make sure the court has your mailing address

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

Understand which services you could receive from credit counseling agencies

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days *before* you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from: <http://www.uscourts.gov/services-forms/bankruptcy/credit-counseling-and-debtor-education-courses>.

In Alabama and North Carolina, go to: <http://www.uscourts.gov/services-forms/bankruptcy/credit-counseling-and-debtor-education-courses>.

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list.

BAPCPA REQUIRED NOTICE NO. 2 (§ 527(a)(2) of the Bankruptcy Code)

**NOTICE OF MANDATORY DISCLOSURE TO CONSUMERS WHO CONTEMPLATE FILING
BANKRUPTCY**

1. All information that the assisted person is required to provide with a petition and thereafter during a case under this title 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, and the replacement value of each asset as defined in section 506 must be stated in those documents where requested after reasonable inquiry to establish such value.
3. Current monthly income, the amounts specified in section 707(b)(2) and, in a case under chapter 13 of this title, disposable income (determined in accordance with section 707(b)(2)), are required to be stated after reasonable inquiry; and
4. Information that an assisted person provides during their case may be audited pursuant to this title, and that failure to provide such information may result in dismissal of the case under this title or other sanction, including a criminal sanction.

BAPCPA REQUIRED NOTICE NO. 3 (§ 527(b) of the Bankruptcy Code)

**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 available under the Bankruptcy Code and which form of relief is 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 creditors where you may be questioned by a court official called a 'trustee' and by creditors.

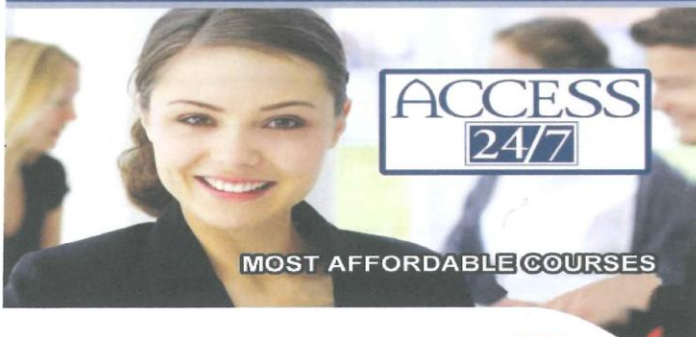
If you choose to file a chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts.

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 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.

Over 2 Million Served !



1ST Course for Before You File

Pre-Filing Credit Counseling

\$18^{.95}

2ND Course for After You File

Pre-discharge/Post-Filing
Debtor Education

\$12^{.95}

**Phone courses are also available: \$25.00
for the Credit Counseling Course and \$15.00
for the Debtor Education Course*

- **24 Hour Live Counselors**
- **Certificates Issued on Weekends 24/7**
- **Follow-up Counseling on Weekends 24/7**
- **User Friendly/Easy To Use Courses**
- **Option for Debtor Ed Filed with Court**
- **Available in Spanish - Hablamos Español**

Access Counseling, Inc. is approved to issue certificates in compliance with the bankruptcy code. Approval does not endorse or assure the quality of any agency's services. © 2022 All rights reserved.

ATTORNEY INFORMATION

Attorney Code : **MO30120**
Email Address : _____
Case # (2nd course only) : _____
District : _____

Visit **www.AccessBK.org**
or call **(800) 210-0522**



ONLINE

1. log on to **www.AccessBK.org**

Important: To ensure you reach the correct Web site. DO NOT use a search engine like Google, Yahoo, or Bing. Type in **www.AccessBK.org** directly into your browser's address bar.

2. Select your course and click on "Start Now"
3. Enter your Attorney Code in the first step of the registration process.

PHONE

To register, call toll free (888) 234-7209 OR visit **www.AccessBK.org** and register for the telephone course online

Please refer to the mandatory disclosures prior to your course registration for further information regarding course requirements fees and certification of completion.

DOCUMENTS NEEDED TO PREPARE YOUR BANKRUPTCY FILING

- ____ Copy of photo identification and proof of SSN
- ____ Six (6) months' proof of income from all sources (husband and wife), even if filing separately
- ____ Four (4) months' bank statements (for all bank accounts with your name)
- ____ Two (2) years' federal and state tax returns, with all forms (husband and wife), even if filing separately
- ____ Copy of titles for ALL vehicles (car/truck/boat)
- ____ Documents regarding any business that was open/operating within the last 6 years
- ____ Proof of insurance for financed vehicles
- ____ Copy of ALL recorded deeds and mortgages (for properties not located in the State of Maryland)
- ____ Real estate appraisal for any and all real property
- ____ Copy of most recent mortgage statement showing balance
- ____ Copy of most recent statement(s) for vehicles and contract showing date of purchase
- ____ Most recent statement for financed furniture/jewelry/electronics
- ____ Copy of all leases (car, commercial, residential)
- ____ Retirement, pension, and/or 401(k) plan statements showing present balances and loan balances
- ____ Life insurance policy/statement showing value and listing of beneficiaries
- ____ Divorce orders within last five (5) years
- ____ Proof of child and/or spousal support (whether owes, receives, or should be receiving) **[the name and address of the other party involved, and amounts owed must be listed in Sch. E]**
- ____ Documents associated with ALL prior cases in any court, or any retention of an attorney, in the last year
- ____ Copies of docs regarding repossessions/foreclosures/garnishments within the last year
- ____ Copies of docs regarding transfers, sales, or gifts of property within the last year
- ____ Additional bills not on credit report (i.e. medical bills)
- ____ Any letters regarding monetary or nonmonetary contributions made by family members
- ____ Names and addresses for all co-debtors
- ____ Other: _____

BANKRUPTCY WORKSHEETS

Chapter 7 ☐

Chapter 13 ☐

Individual ☐

Joint* ☐

* NOTE: If a Joint Bankruptcy case is being filed, complete all questions for both Husband and Wife

Debtor (husband, if Joint)

Joint Debtor (wife, if joint)

Full Name

All other names used by you in the last 6 years, including married, maiden and trade names

Street Address (Number, Street, City, State and zip)

Mailing Address, if different from street address

County of residence or principal place of business

Social Security No., Tax ID No. (if more than one, list all)

Have you ever filed bankruptcy before? If yes, Please complete:**

Location Filed	Case No.	Date Filed	Chapter Filed
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Location Filed	Case No.	Date Filed	Chapter Filed
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Is your spouse, business partner or any affiliate in a pending bankruptcy?**

Name of Debtor	Case No.	Date Filed	Chapter Filed
Relationship	Location Filed	Judge	Status (if known)

Name of Debtor	Case No.	Date Filed	Chapter Filed
Relationship	Location Filed	Judge	Status (if known)

** Attach Continuation pages if necessary

HAVE YOU LIVED IN ANY OTHER PLACE WITHIN THE LAST THREE YEARS? If yes, list addresses and dates.

ASSETS

REAL PROPERTY (Schedule A): You are **required by federal law to disclose any and all real property** held by in your name, whether or not the property is actually yours, or in somebody else's name for your benefit. This includes, but is not limited to houses, townhouses, condos, lands, time shares, etc., **whether located in the United States or abroad, and whether you are a primary owner or only an accommodation party.**

Please provide a copy of the deed to any property not located in the State of Maryland, and a payoff statement for each lender

PROPERTY 1

Address:	_____	Date of Purchase:	_____
	_____	Amount of Purchase:	_____
Co-owner(s)	_____	Current Market Value:	_____
First Mortgage			
Name of Lender:	_____	Payoff Balance:	_____
Address:	_____	Interest Rate:	_____
	_____	Monthly Payment:	_____
Account Number:	_____	Amount Behind:	_____
Second Mortgage			
Name of Lender:	_____	Payoff Balance:	_____
Address:	_____	Interest Rate:	_____
	_____	Monthly Payment:	_____
Account Number:	_____	Amount Behind:	_____
Is there a Homeowners Association/Condominium Association?	Yes ☐ No ☐		
If yes, Name:	_____	Amount of Payment:	_____
Address:	_____		Per Month Quarter Year
	_____	Amount Behind:	_____

PROPERTY 2

Address:	_____	Date of Purchase:	_____
	_____	Amount of Purchase:	_____
Co-owner(s)	_____	Current Market Value:	_____
First Mortgage			
Name of Lender:	_____	Payoff Balance:	_____
Address:	_____	Interest Rate:	_____
	_____	Monthly Payment:	_____
Account Number:	_____	Amount Behind:	_____
Second Mortgage			
Name of Lender:	_____	Payoff Balance:	_____
Address:	_____	Interest Rate:	_____
	_____	Monthly Payment:	_____
Account Number:	_____	Amount Behind:	_____
Is there a Homeowners Association/Condominium Association?	Yes ☐ No ☐		
If yes, Name:	_____	Amount of Payment:	_____
Address:	_____		Per Month Quarter Year
	_____	Amount Behind:	_____

*** Use continuation sheets if necessary

VEHICLES (Schedule B): You are **required by federal law to disclose any and all personal property** held by you in your name, whether or not the property is actually yours, or in somebody else's name for your benefit, **whether located in the United States or abroad.**

Please provide a copy of the title to any vehicle, and a payoff statement for each lender

Vehicle 1

Describe: Year _____ Make _____ Model _____
Mileage _____ Condition _____
Owned by: ☐ Husband ☐ Wife ☐ Joint ☐ Co-owner: _____
Lienholder: Name and Address: _____
Account No. _____ Payoff Amount _____
Monthly Payment _____ Arrearage Amount _____
Do you want to keep this vehicle? _____

Vehicle 2

Describe: Year _____ Make _____ Model _____
Mileage _____ Condition _____
Owned by: ☐ Husband ☐ Wife ☐ Joint ☐ Co-owner: _____
Lienholder: Name and Address: _____
Account No. _____ Payoff Amount _____
Monthly Payment _____ Arrearage Amount _____
Do you want to keep this vehicle? _____

Vehicle 3

Describe: Year _____ Make _____ Model _____
Mileage _____ Condition _____
Owned by: ☐ Husband ☐ Wife ☐ Joint ☐ Co-owner: _____
Lienholder: Name and Address: _____
Account No. _____ Payoff Amount _____
Monthly Payment _____ Arrearage Amount _____
Do you want to keep this vehicle? _____

Vehicle 4

Describe: Year _____ Make _____ Model _____
Mileage _____ Condition _____
Owned by: ☐ Husband ☐ Wife ☐ Joint ☐ Co-owner: _____
Lienholder: Name and Address: _____
Account No. _____ Payoff Amount _____
Monthly Payment _____ Arrearage Amount _____
Do you want to keep this vehicle? _____

*** Use continuation sheets if necessary

OTHER PERSONAL PROPERTY (Schedule B): You are **required by federal law to disclose any and all personal property** held by you in your name, whether or not the property is actually yours, or in somebody else's name for your benefit, **whether located in the United States or abroad.** *Summarize everything you own and its value below; If greater detail is required, attach additional sheets.*

	Category	Description	H/W/J Co-Owner	Value
1	Cash			
2	Bank Accounts List all checking, savings, credit union, Certificate of Deposit	Bank: _____ Account type: _____ Bank: _____ Account type: _____ Bank: _____ Account type: _____		
3	Electronic Payment Accounts: PayPal, ApplePay, GooglePay, Venmo, Zelle, Uber, Lyft	Bank: _____ Account type: _____ Bank: _____ Account type: _____ Bank: _____ Account type: _____		
4	Security Deposits: Landlords, utilities, credit cards, other			
5	Firearms, sports, photographic and other hobby equipment			
6	Interests in Insurance Policies	Insurance Co: _____ Insurance type: _____ Insurance Co: _____ Insurance type: _____		
7	Annuities	Issuing Company: _____ Issuing Company: _____		
8	Interests in Retirement plans, 401(k)s, IRAs, Keogh and profit sharing plans			
9	Stocks, Bonds, and Cryptocurrency			
10	Interests in incorporated and unincorporated businesses, partnerships or joint ventures			
11	Government or corporate bonds			
12	Accounts receivable			
13	Alimony, maintenance, support arrearages and property settlements			
14	Other Liquidated Debts, including tax refunds, and rebates			
15	Inheritances, to which you are entitled			

	Category	Description	H/W/J Co-Owner	Value
16	Interests in Trusts, Estates, Insurance proceeds			
17	Claims or Lawsuits of any type against another person or entity			
18	Patents, Copyrights, intellectual property Licenses or Franchise rights			
19	Office Equipment, furnishings and supplies			
20	Machinery, fixtures, tools equipment and supplies			
21	Inventory			
22	Animals, livestock, pets			
23	Crops, farm equipment, supplies, chemicals			
	Other personal property of any kind not listed above			

PERSONAL INVENTORY
Attachment to Schedule B

DESCRIPTION	VALUE	DESCRIPTION	VALUE
<u>HOUSEHOLD GOODS AND FURNISHINGS</u>		<u>WEARING APPAREL</u>	
_____ Sofa	_____	_____ Shirts/Blouses	_____
_____ Chairs	_____	_____ Pants/Shorts	_____
_____ Coffee tables/End tables	_____	_____ Dresses	_____
_____ Bookcases/Cabinets	_____	_____ Suits	_____
_____ Desks	_____	_____ Sportcoats/Blazers	_____
_____ Beds	_____	_____ Jackets/Coats	_____
_____ Chests/Dressers/Bureaus	_____	_____ Sweaters/Sweatshirts	_____
_____ Night stands	_____	_____ Undergarment/Accessories	_____
_____ Lamps	_____	_____ Shoes	_____
_____ Televisions	_____	_____ Boots	_____
_____ VCR/DVD players	_____	_____ Other: _____	_____
_____ Stereos/Radios	_____	TOTAL:	_____
_____ Kitchen set	_____		
_____ Dining Room set	_____	<u>JEWELRY</u>	
_____ Cookware/Dishes/Glasses	_____	_____ Rings	_____
_____ Blankets/Linens, etc.	_____		
_____ Small/Kitchen appliances	_____	_____ Necklaces	_____
_____ Hand tools/power tools	_____	_____ Pendants	_____
_____ Lawn/Patio Furniture	_____	_____ Earrings	_____
_____ Lawn mower/Yard tools	_____	_____ Other: _____	_____
_____ Computer/Printer/Access.	_____	_____ Other: _____	_____
_____ Other: _____	_____	_____ Rings	_____
_____ Other: _____	_____	TOTAL:	_____
TOTAL:	_____		

DEBTS

CREDITORS – All creditors/individuals/entities to whom you owe, including credit cards, medical bills, deficiencies after repossession, rent arrears, store cards, personal loans, credit union loans, bank loans, overdrafts, etc. *Please provide billing statements for all creditors.*

Creditor Name and Address	Account Number	Amount Due	Type of Debt and Date Incurred	H/W/J Co-obligor?

*** Duplicate this page or use continuation sheets if needed

EXECUTORY CONTRACTS/UNEXPIRED LEASES (SCHEDULE G)

Please list all contracts that are continuing, or have not been fully performed other than the payment of money, including leases (apartment, automobile, furniture), rent-to-own contracts, time shares, cable, internet, telephone, or cellular telephones/pagers contracts, health clubs or gyms, employment agreements, etc. *Please provide a copy of the agreement.*

Name and Address of other Party	Account Number	Description of Contract	H/W/J Co-obligor?	Do you want to retain contract?

DO YOU HAVE ANY DEPENDENTS? If yes, complete the following:

NAME	RELATIONSHIP TO DEBTOR	AGE

EMPLOYMENT:**HUSBAND:**

Employer Name: _____

Position: _____

Length of Employment: _____

WIFE:

Employer Name: _____

Position: _____

Length of Employment: _____

INCOME (SCHEDULE I)

Please list all sources of income for the household (including income for your spouse even if your spouse is not also filing bankruptcy), including wages, unemployment, pension or annuity payments, child support, alimony, social security income for you or your dependents. If you are self-employed, list your net business income, and provide a financial statement, monthly cash flow report, or other documents showing monthly income and business expenses. *Please provide documentation of all income sources, including pay stubs.*

Husband's Gross Paycheck _____

Wife's Gross Paycheck _____

Net Paycheck _____

Net Paycheck _____

☐ Weekly☐ Weekly☐ Bi-weekly (every two (2) weeks)☐ Bi-weekly (every two (2) weeks)☐ Twice monthly☐ Twice monthly☐ Monthly☐ Monthly

Second Job/Odd Jobs/Cash Jobs _____

Second Job/Odd Jobs/Cash Jobs _____

Rental Income _____

Rental Income _____

Contribution from Family _____

Contribution from Family _____

Pension/Annuity _____

Pension/Annuity _____

Social Security _____

Social Security _____

Other Government Assistance _____

Other Government Assistance _____

Other – Child Support, Alimony, etc. _____

Other – Child Support, Alimony, etc. _____

WHAT HAS YOUR INCOME BEEN FROM EMPLOYMENT OR SELF-EMPLOYMENT OVER THE PAST 3 YEARS?

HUSBAND			WIFE		
	Amount	Source		Amount	Source
This year (ytd)			This year (ytd)		
Last year			Last Year		
Year before last			Year before last		

WHAT HAS YOUR INCOME BEEN FROM OTHER SOURCES OVER THE PAST 3 YEARS? Such as social security, retirement, child support, alimony, etc.

HUSBAND			WIFE		
	Amount	Source(s)		Amount	Source(s)
This year (YTD)			This year (YTD)		
Last year			Last Year		
Year before last			Year before last		

HAVE YOU FILED ALL OF YOUR TAX RETURNS – FEDERAL AND STATE? If not, list the tax years not filed.

EXPENSES (SCHEDULE J) – Please list all regular monthly expenses below, including a monthly amount for items that are spent on a less regular basis, including clothing, home repairs, etc.

Rent/Mortgage	_____	Insurance (which is not included on a paycheck)	
☐ Insurance is included in payment		Homeowners	_____
☐ Taxes are included in payment		Life	_____
Second Mortgage	_____	Health	_____
HOA/Condo Fee	_____	Auto	_____
Utilities		Other: _____	_____
Electricity and Heat	_____	Taxes: _____	_____
Water and Sewer	_____	Installment Payments	
Telephone/Internet/Cable	_____	Auto	_____
Internet	_____	Other: _____	_____
Other: _____	_____	Other: _____	_____
Home Maintenance	_____	Court ordered Alimony/Maintenance/Support	_____
Food	_____	Payments for Dependents not living at home	_____
Clothing	_____	Childcare	_____
Laundry and Dry Cleaning	_____	Business Expenses (attach an itemized list)	_____
Medical and Dental	_____	Other: _____	_____
Transportation (gas and repairs/maintenance)	_____	Other: _____	_____
Recreation	_____	Other: _____	_____
Charitable Contributions	_____	Other: _____	_____

DO YOU EXPECT ANY CHANGES THAT WOULD INCREASE OR DECREASE YOUR EXPENSES WITHIN THE NEXT YEAR? If yes, please explain:

BUSINESS OWNERSHIP

If you have owned a business (either by yourself, with someone else, or you owned more than 5% of the stock in any single company), please complete the following:

HAVE YOU OWNED YOUR OWN BUSINESS IN THE LAST 3 YEARS? Yes ☐ No ☐

HAVE YOU OWNED AT LEAST 5% OF ANY BUSINESS IN THE LAST 3 YEARS? Yes ☐ No ☐

If you answered either question "Yes," please complete the following set of questions. If you have more than one business, please make a copy of this sheet and complete separately for each.

Name Of Business: _____

Address: _____

Co-owner(s) and amount of ownership for each: _____

Dates operated: _____

Nature of business: _____

Is business still operating? _____

Type of Entity: ☐ Sole Proprietorship ☐ Partnership
Please provide a copy of the formation papers ☐ LLC or LLP ☐ Corporation

Has the business filed its own tax returns in the last three years? If yes, please provide copies.

Value of the Business: _____

Amount of debt owed by the business: _____

INCOME AND BUSINESS EXPENSES:

Source of Income? _____

Amount of Monthly Income: _____

MONTHLY EXPENSES:

Rent/Mortgage	Advertising	Installment payments
Repair/Upkeep	Bank charges	Lease payments
Utilities	Office Exp.	Maintenance on Equip
Insurance	Dues/Public.	Supplies/Materials
Taxes	Laundry/clean.	Other: _____
Wages/Commiss.	Travel/Entertain.	_____
Employee Bene.	Transportation	_____
		Total Monthly expenses _____

HAVE YOU PAID ANY SINGLE CREDITOR MORE THAN \$600.00 WITHIN THE LAST 90 DAYS?

These payments may have been made as a lump sum, or in several payments that total over \$600.00, and may include secured payments for mortgages, cars, etc. or unsecured debts such as credit cards or personal loans.

Name and Address of Creditor	Dates of Payments	Amount Paid	Amount still due to Creditor

HAVE YOU PAID ANY FAMILY MEMBERS BACK ANY MONEY OVER THE PAST YEAR?

Name and Address of Creditor	Dates of Payments	Amount Paid	Amount still due to Creditor

HAVE YOU SOLD, TRANSFERRED, OR GIVEN AWAY ANY ITEMS WITH A VALUE OF MORE THAN \$100.00 IN THE PAST 12 MONTHS? If yes, please complete the following:

NAME OF TRANSFEREE AND RELATIONSHIP TO DEBTOR, IF ANY	DATE OF TRANSFER	ITEMS TRANSFERRED	VALUE OF ITEMS

IS ANYONE SUING YOU IN COURT, OR HAS ANYONE SUED YOU, IN THE LAST YEAR? If yes, please complete the following and provide copies of any court paperwork that you have received.

NAME OF PERSON OR COMPANY SUING YOU	CASE NUMBER	COURT WHERE YOU ARE BEING SUED	STATUS OF LAWSUIT

ARE YOU SUING ANYONE IN COURT, OR HAVE YOU SUED ANYONE IN THE LAST YEAR? If yes, please complete the following and provide copies of any court paperwork that you may have.

NAME OF PERSON OR COMPANY SUING YOU	CASE NUMBER	COURT WHERE YOU ARE BEING SUED	STATUS OF LAWSUIT

HAVE ANY WAGES OR ASSETS BEEN GARNISHED, ATTACHED, REPOSSESSED OR FORECLOSED IN THE LAST THREE YEARS? If yes, please complete the following and provide copies of any court paperwork that you have received.

NAME OF PERSON OR COMPANY WHICH TOOK THE ASSETS	DATE WAGES OR ASSETS WERE TAKEN	WHAT WAS TAKEN	VALUE OF WHAT WAS TAKEN

LIST ALL BANK ACCOUNTS YOU HAVE CLOSED OR HAVE BEEN CLOSED ON YOU IN THE LAST YEAR:

NAME OF BANK	ACCOUNT NUMBER	DATE ACCOUNT CLOSED	AMOUNT IN ACCOUNT WHEN CLOSED

HAVE ANY BANKS OR CREDIT UNIONS TAKEN MONEY OUT OF YOUR ACCOUNT IN THE LAST 90 DAYS TO PAY THEMSELVES BACK FOR A DEBT? For example, off-sets, bounced check fees, over-withdrawal fees, etc. If yes, please complete the following:

NAME OF BANK	DATE TAKEN	AMOUNT TAKEN	WHY MONEY TAKEN

HAVE YOU HAD ANY SAFE DEPOSIT BOXES IN THE LAST THREE YEARS? Yes ☐ No ☐

ARE YOU HOLDING ANY PROPERTY THAT BELONGS TO SOMEONE ELSE? Yes ☐ No ☐