

# Bankruptcy Worksheet

## Instructions

Please answer these questions carefully. The information you give us will be used to compile the schedules the Court requires to have your bankruptcy case approved. Your answers will determine what will be on your bankruptcy petition. Any errors, omissions or misrepresentations may seriously affect the discharge of your debts (meaning that you may need to pay them despite your having filed for bankruptcy). Discuss this with your attorney.

Where space permits, answer the questions on this questionnaire. However, do not let the size of the space available determine the extent of your response. If additional space is necessary, use a separate sheet or the back of this form, identifying by number and letter the question answered. A question asking for a date, or when something happened, can usually be answered with the month and year only. A question asking for an address must include the ZIP code, along with a complete street or post office box address.

There are many parts of the worksheet that will ask you to place a value on property that you own. Please use the following as a guideline for determining those values:

**Personal Property & Household Goods:** When filling out this part of the worksheet, use a "replacement value" without deductions for cost of sale or marketing. That means the price a retail merchant would charge for property of that kind considering the age and condition for the property at the time the value is determined (consignment shops, eBay, etc.). Cars should be valued by the N.A.D.A. Official Used Car Guide.

**Real Property:** When valuing real property (land and any structures built on it), indicate the appraised tax value from your yearly property tax statement or, alternatively, base the value upon what similar properties in your area are bringing.

The instructions in this questionnaire should answer most of your questions. In addition, we have tried to eliminate "legalese" (or lawyer talk) by using clear and simple language. Where terms are used that we feel might be unfamiliar to you, we try to provide clear definitions. Nonetheless, if you find any questions unclear, please call, as accuracy at this stage is of utmost importance.

Remember, these questions *must* be answered fully and accurately. If you absolutely cannot remember, find out, or guess with reasonable accuracy, answer "Unknown." The effort you expend now will help determine how quickly your bankruptcy can be filed and how complete your discharge will be.

## UNITED STATES BANKRUPTCY COURT

### NOTICE TO CONSUMER DEBTOR(S) UNDER §342(b) OF THE BANKRUPTCY CODE

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

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

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

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

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

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

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

##### **Chapter 7: Liquidation (\$245 filing fee, \$46 administrative fee, \$15 trustee surcharge: Total fee \$306)**

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

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

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny

your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

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

**Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$46 administrative fee: Total fee \$281)**

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

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

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

**Chapter 11: Reorganization (\$1000 filing fee, \$46 administrative fee: Total fee \$1046)**

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

**Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$46 administrative fee: Total fee \$246)**

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

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

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

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

**Certificate of [Non-Attorney] Bankruptcy Petition Preparer**

I, the [non-attorney] bankruptcy petition preparer signing the debtor's petition, hereby certify that I delivered to the debtor this notice required by § 342(b) of the Bankruptcy Code.

Printed name and title, if any, of Bankruptcy Petition Preparer \_\_\_\_\_

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

Social Security number (If the bankruptcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person, or partner of the bankruptcy petition preparer.) (Required by 11 U.S.C. § 110.) \_\_\_\_\_

X  
Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

**Certificate of the Debtor**

I (We), the debtor(s), affirm that I (we) have received and read this notice.

Printed Name(s) of Debtor(s) \_\_\_\_\_

Case No. (if known) \_\_\_\_\_

X  
Signature of Debtor \_\_\_\_\_ Date \_\_\_\_\_

X  
Signature of Joint Debtor (if any) \_\_\_\_\_ Date \_\_\_\_\_



## Documents Needed

You will need to bring the following documents to our office when you come in to go over your completed worksheet. It is very important that you bring these items with you:

Use this page as a checklist as you gather the documents

- 1. Credit Reports from all 3 Bureaus: Equifax, TransUnion, and Experian
- 2. Current statements and bills from all creditors for which we do not have information. If you use your credit report to account for any missing creditors in your case, please list them in this packet. Please give us statements and bills in alphabetized and chronological order. Review the information for accuracy and use the additional forms to add creditors, if needed. Remember, creditors with a zero balance may not need to be included; check with your attorney.
- 3. Tax returns for last four (4) years and corresponding state income tax returns for the same period.
- 4. Pay stubs for the last six (6) months from all current employers.
- 5. W2's for the last (2) years from all employers.
- 6. Copies of Social Security cards and copies of Driver's Licenses.
- 7. Bank Statements for last (6) months for each opened account.
- 8. All legal documents pertaining to divorces or lawsuits which are pending or which have been finalized in the past 24 months.
- 9. Copies of all life insurance policies that have a cash value. You do not need to bring copies of term life policies.
- 10. All judgments or court orders entered against you or in your favor.

Please note, your attorney may ask you to provide documentation for the following items; however, it is not necessary to bring them unless your attorney requests these documents.

- 1. All executory contracts; for instance, leases, contracts for sale or deed and lease-purchase contracts.
- 2. Copies of any notes or retail installment contracts from banks, credit unions, finance companies or other lenders. Also, any security agreements or other documents listing your property as collateral for the purchase of cars, furniture, mobile homes, other personal property, or cash loans.

Please Initial: Debtor \_\_\_\_\_ Joint Debtor/Spouse \_\_\_\_\_

- 3. Proof of Insurance. If the policy is new, please provide the "binder" which is issued until the policy is in full force. If the policy is not new, then please provide the declarations page. Insurance information must state, at a minimum, the names of the insureds (you and other drivers in the case of car insurance), the policy number, the collateral that is insured, and the loss payee (the company(ies) that have liens on the property).
  
- 4. Copies of any promissory notes, Deeds of Trust, property tax statements, or contracts on any real estate you own or are buying.

Please also note that before filing your bankruptcy you will need to provide updated balances for your bank accounts, along with bank statements, and amounts owed to each creditor. You will also need to provide copies of your latest paycheck stubs.

Client: \_\_\_\_\_ File No.: \_\_\_\_\_

### Client Information

Primary Debtor  Male  Female

Spouse/ Joint Debtor  Male  Female

SR, JR, \_\_\_\_\_

SR, JR, \_\_\_\_\_

Last Name \_\_\_\_\_ First \_\_\_\_\_ MI \_\_\_\_\_

Last Name \_\_\_\_\_ First \_\_\_\_\_ MI \_\_\_\_\_

Home Address \_\_\_\_\_

Home Address \_\_\_\_\_

Mailing Address (if Different) \_\_\_\_\_

Mailing Address (if Different) \_\_\_\_\_

City/ State/ Zip Code \_\_\_\_\_

City/ State/ Zip Code \_\_\_\_\_

County of Residence \_\_\_\_\_

County of Residence \_\_\_\_\_

\_\_\_\_\_  
Social Security/Tax ID Number

\_\_\_\_\_  
Social Security/ tax ID Number

Texas Driver's License #: \_\_\_\_\_

Texas Driver's License #: \_\_\_\_\_

**Means of Contact:** enter all contact information and check which you would *prefer* we use.

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

Debtor work: \_\_\_\_\_ Ext: \_\_\_\_\_ Cell: \_\_\_\_\_

Spouse work: \_\_\_\_\_ Ext: \_\_\_\_\_ Cell: \_\_\_\_\_

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

**Emergency contact information:** only to be used when we are unable to reach you at any of the above contacts. Discretion will be used.

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

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

Telephone or other contact: \_\_\_\_\_

**Aliases/other names used in last six(6) years and dates used:**

#### Primary Debtor

#### Joint Debtor/Spouse

1. \_\_\_\_\_  aka  fka  
 dba  fdba

1. \_\_\_\_\_  aka  fka  
 dba  fdba

2. \_\_\_\_\_  aka  fka  
 dba  fdba

2. \_\_\_\_\_  aka  fka  
 dba  fdba

Please Initial: Debtor \_\_\_\_\_ Joint Debtor/Spouse \_\_\_\_\_

### Filing Information

**Please Check:**  Individual  Joint  
 Partnership  
 Other \_\_\_\_\_

**My debts are:**  Non-Business (Consumer)  
 Business

**Marital Status:**  Single  Married  Divorced  Widowed  Life Partner

*If married, please fill out Spouse/Joint Debtor section even if your spouse is not filing.*

*If married, do you and your spouse maintain separate households?*  Yes  No

**Have you lived at your current address for at least the past 180 days:**  Yes  No

*If "No," list previous cities, states, and dates (use additional pages if necessary):*

\_\_\_\_\_

**Do you have a business partner or partnership that is currently filing bankruptcy?**  Yes  No

*If "Yes," give city, state, case number, and date filed:*

\_\_\_\_\_

**Have you taken cash advances on any credit cards in the last 90 days?**  Yes  No

Creditor Name: \_\_\_\_\_ Date taken: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Creditor Name: \_\_\_\_\_ Date taken: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

Creditor Name: \_\_\_\_\_ Date taken: \_\_\_\_\_ Amount: \$ \_\_\_\_\_

**Creditors to be notified by phone:**

*Please list any creditor who needs to be notified by phone to prevent any action that the creditor may take against you. Imminent foreclosures, repossessions, or lawsuits are good examples. Please do not list any credit cards or other unsecured debts unless that creditor has filed a lawsuit.*

Creditor	Phone Number	Reason
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

### Prior Bankruptcies

Please indicate any prior bankruptcy filings. Also indicate any pending bankruptcies for a spouse, life partner, or business partner (use additional sheets if necessary.)

Chapter	Location (City, State)	Date Filed	Case Number	Debtor Name	Date Discharged/ Dismissed?

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### Pending/Related Bankruptcies

Chapter	Location (City, State) and District in which filed	Date Filed	Case Number	Debtor Name	Presiding Judge

Please Initial: Debtor \_\_\_\_\_ Joint Debtor/Spouse \_\_\_\_\_

## Dependents

If married and filing individually, please include your spouse/partner as a dependent (use additional sheets if necessary.)

Name	Age	Relationship

## Occupation

	Job #1	Primary Debtor	Job #2
Occupation	_____	_____	_____
Employer	_____	_____	_____
How Long?	_____	_____	_____
Address	_____	_____	_____
City/State/Zip	_____	_____	_____
Telephone #	_____	_____	_____

	Job #1	Spouse/Partner/Joint Debtor	Job #2
Occupation	_____	_____	_____
Employer	_____	_____	_____
How Long?	_____	_____	_____
Address	_____	_____	_____
City/State/Zip	_____	_____	_____
Telephone #	_____	_____	_____