

DOCUMENTS CLIENTS MUST GATHER AND GIVE TO LAWYER

Be sure to follow the instructions or the filing of your bankruptcy petition will be delayed.

Gathering these documents and arranging them according to these instructions may be time consuming, but necessary for me to understand your financial information.

Please don't be offended by the detail of these instructions but mistakes get made when I get a pile of mixed up papers, with duplicate information, unlabeled, with unopened envelopes with no staples or paperclips separating things.

1. **Unsecured Creditor's:** One Statement from Each Unsecured creditor. If any one of the statements has more than one page staple the pages together. Each of the statements must show the Name, Address, Account Number, and balance owed.

Once you have all of the statements opened and gathered, paper clip them together and attach a blank piece of paper on the top and write UNSECURED on it.

If you do not have a statement from the original creditor send **one statement** from the **most recent** collection notice for the account.

Unsecured creditors are typically Credit Card accounts, Personal Loans, and Unpaid Utility bills that you no longer need the service or are unable to pay.

Don't attach statements from current utility bills that you are planning to pay or other statements from monthly expenses that belong in the monthly expense list below.

2. **Secured Creditor's:** One Statement from Each Secured Creditor. If any one of the statements has more than one page staple the pages together. Each of the statements must show the Name, Address, Account Number, and balance owed. Once you have all of the statements opened and gathered, paper clip them together and attach a blank piece of paper on the top and write SECURED on it.

Secured Creditor's are typically Home Mortgages, Home Equity Loans, Vehicle Loans (including boats, motorcycles and the like), and any other loan that you took out at the same time you bought a specific big ticket item (vacuum cleaners, furniture, medical bed).

Keep in mind that **proof has to be shown** of the **balance** on each secured debt. Don't send a copy of one of the payment tickets in the payment book of a car loan. If this is all you have, you will have to call the creditor and have them send you a payoff statement in the mail, or perhaps you can get it online.

3. **Monthly Expense List:** A list of all monthly expenses with a total at the bottom. Attached you will find an expense list sheet that you may use to make your list.

Keep in mind this is a MONTHLY expense list. If you pay a bill quarterly divide by 4 to get a monthly amount. If you pay the bill once a year divide by 12 to get a monthly amount.

DO NOT list monthly payments to UNSECURED CREDITORS on this list. An exception to this rule are monthly payment for Student Loans because they are usually non-dischargeable in bankruptcy.

4. **Payment Check Stubs from Employers** - Paycheck Stubs for the last three (3) months from all employers, disability payments, unemployment checks, Social Security/SSI/SSD payments, etc.

If you receive social security I just need the notice that says what your monthly payment will be.

DO NOT send unopened envelopes, or statements that I have to rip the edges off from before I can get inside.

MAKE SURE YOU DO THE FOLLOWING: Open each of the statements up, tear the little fake check off the bottom if there is one, put each of the statements in ORDER from oldest to newest (newest on top), paper clip them together.

KEEP in mind that I have to scan these things so send me the original stubs not copies. If you or your spouse has more than one job make sure there are separate piles arranged as stated above and paper clipped for each employer.

IF you do not have these statements you will have to get new ones issued by your employer or some other proof from your employer.

5. **Statements from Any Interest Debtor has in an Education IRA OR Qualified State Tuition Program** - Most recent Statement from each account.

If any one of the statements has more than one page staple the pages together. Each of the statements must show the Name, Address, Account Number, and balance.

Once you have all of the statements opened and gathered, paper clip them together and attach a blank piece of paper on the top and write EDUCATION ACCOUNTS on it.

6. **Certificate from an approved Credit Counseling Agency** that the Debtor received the "Briefing" required by §109(h) of the Code within 180 days of the filing of the petition, AND if a debt repayment plan was developed through counseling, a copy of the Plan

This Certificate must be obtained before the petition can be filed. A list of credit counseling companies will be provided.

7. **Certificate of Personal Finance Management Course.** Must be filed within **45 days** from 341 meeting of creditors if individual debtor(s) in chapter 7 and no later than the date of the last payment in chapter 13 plan or motion for entry of discharge in Chapter 13 case.

Don't need this before you file the petition. Instructions will be given after the 341 meeting of creditors.

8. **Federal and State Tax Returns for the last Two(2) years** - Tax returns for the last two years.

I need to send the most recent year to trustee at least 7 days before 341 meeting (send with copy of petition).

If you do not have copies you can get it from IRS on IRS Forms 4506-T (transcript of tax returns), 4506 (copy of Tax returns), or 8821 (Tax Information Authorization) - Assemble from the Misc. Forms Directory.

Note: In Chapter 13 cases, the Debtor(s) must file all tax returns required to be filed with taxing authorities in the four(4) years before the filing of the petition (must be filed the day before 341 meeting).

9. **Statements from Retirement Accounts:** One statement for each retirement account (most recent you have).

If any one of the statements has more than one page staple the pages together. Each of the statements must show the Name, Address, Account Number, and balance.

Once you have all of the statements opened and gathered, paper clip them together and attach a blank piece of paper on the top and write RETIREMENT ACCOUNTS on it.

Retirement accounts are Pension, IRA's 401k's, 403-b's ect.

10. **Statements from Bank Accounts / Investment Accounts.**

One statement from each (most recent statement):

Checking Account, Savings Account, Money Market Account, Mutual Funds, Brokerage Accounts, Stocks, Bonds, Annuity Account or any other NON-Retirement account.

If any one of the statements has more than one page staple the pages together. Each of the statements must show the Name, Address, Account Number, and balance.

Once you have all of the statements opened and gathered, paper clip them together and attach a blank piece of paper on the top and write FINANCIAL ACCOUNTS on it.

11. **Titles to Vehicles:** Copy of the Title to Each Vehicle you own.

Please do not send me the actual Title, take the time to make a copy.

I need a copy of these things so I am sure that your interest in the vehicle will be protected.

Cars, Trucks, Motorcycles, Boats, ATV's, Jetski's, Trailors and the like, usually have a tile.

If any one of the titles has more than one page staple the pages together.

Once you have all of the copies of the titles gathered paper clip them together and attach a blank piece of paper on the top and write VEHICLES on it.

12. **Property Tax Statement** - Most recent property tax statement from City, Village, Town, (what ever the case may be) and School Tax Statement for every piece of Real Property owned.

If any one of the property tax statements has more than one page staple the pages together.

Once you have all of the copies of the statements gathered for each property, paper clip the statements for each property together and attach a blank cover page on the top of each property and write PROPERTY TAXES on it.

If you are behind on property taxes: Write a Note with the overdue balance, for School and Town/County taxes on the cover page, and provide a copy of the late statement from the county or other late statement.

If you don't have a statement call the County and Town, Village, City, and have them send you a statement (you can give it to me later).

13. **Life Insurance:** One Statement from Each Life Insurance Policy that shows the Name, Address, Account Number, Death Benefit Amount (face value) and Cash Value of the Policy (Not all Policies Have Cash Value, Term Life Does not have any).

If any one of the statements has more than one page staple the pages together.

Once you have all of the statements opened and gathered, paper clip them together and attach a blank cover page on the top and write LIFE INSURANCE on it.

If you have life insurance from your employer it is usually term insurance so just state the owner of the policy (husband or wife), and the death benefit (face value) on the cover page.

14. **Appraisals for Real Property:** ONLY provide a copy of an Appraisal that was done in the last 2 years, ONLY if you have a copy in your possession.

Note: If you are filing a Chapter 13 and I told you we are doing a POND MOTION, You will need to get an appraisal done on your house.

After your Petition is filed you will be summoned to court to appear for the meeting of creditors (341 Meeting).

You will need to bring the following documents with you, IF YOU DON'T BRING THEM, THE TRUSTEE WILL SEND YOU HOME AND WE WILL HAVE TO COME BACK AGAIN (I will charge you an extra \$150.00 to come back as stated in the retainer agreement).

15. **341 Meeting Documents**

- a. **Original copies of your titles to all your vehicles** (Make sure you have them when you get this document list - takes a while to get a new one).
- b. **Social Security Card(s)** (Make sure you have them when you get this document list - takes a while to get as new one).
- c. **Drivers License or other Official Picture Identification** (passport, sheriff's id).
- d. **Other Documents:** There are other documents he needs, but I will have them if you gave them to me from the list above.

SCHEDULE J

MONTHLY LIVING EXPENSES

1. Home expenses:

- a. Rent or Home loan payment..... \$ _____
- b. Lot Rent..... \$ _____
- c. Utilities:
 - Electricity \$ _____
 - Water \$ _____
 - Gas Heat..... \$ _____
 - Garbage Pickup.. \$ _____
 - Telephone \$ _____
 - Cell Phone \$ _____
 - Cable \$ _____
 - Internet..... \$ _____
 - Other..... \$ _____
- d. Home Maintenance (repair & upkeep)..... \$ _____

2. Other Expenses:

- a. Food..... \$ _____
- b. Clothing..... \$ _____
- c. Laundry & Cleaning \$ _____
- d. Medical, dental & medicines..... \$ _____
- e. Transportation..... \$ _____
- f. Recreation..... \$ _____
- g. Education, tuition/books..... \$ _____
- h. Insurance (not deducted from wages or Included in Mortgage Payment):
 - Homeowners or Renters..... \$ _____
 - Life..... \$ _____
 - Health \$ _____
 - Auto..... \$ _____
 - Other..... \$ _____
- i. Real estate taxes (Not Included in Mortgage) \$ _____
- j. Installment Payments:
 - Auto (Total)..... \$ _____
 - Other..... \$ _____
 - Other..... \$ _____
- k. Alimony \$ _____
- l. Child Support \$ _____
- m. Child Care..... \$ _____
- n. School Lunches \$ _____
- o. Pet Expenses..... \$ _____
- p. Charitable Contributions \$ _____
- q. Personal Grooming..... \$ _____
- r. Other Exp..... \$ _____

Any change in expenses expected in next year: NO YES (explain)