

# Overview of Bankruptcy Law

Chapter 7 Liquidation Bankruptcy

Chapter 11 Reorganization

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## **What is bankruptcy?**

Bankruptcy is a process provided by U. S. Statutes that permits a person or business to eliminate certain debts, or to require creditors to accept a payment plan. The most common types of bankruptcy are:

### **Chapter 7 Liquidation Bankruptcy**

In a "Chapter 7" bankruptcy, your debts and property are listed on forms, along with the list of exempt property that the State of your residence or the Federal Laws permit you to keep after your discharge of debts. Most debts are discharged, meaning you are no longer obligated to pay them. An appointed trustee will take any non-exempt property and distribute it to creditors. Often, there will be no non-exempt property, but you will have to repay secured debts or release the security, (such as a home or automobile,) to the creditor. Any balance owed on the secured debt will still be discharged, however, even if you surrender the security. Taxes cannot typically be discharged in bankruptcy, but the government may be forced to accept a payment plan under some circumstances, as described below.

### **Chapter 11 Reorganization**

Chapter 11 permits an operating business, whether a sole proprietorship or a partnership or corporate entity, to prevent its creditors from suing or otherwise disrupting its business while it proposes a plan of reorganization. The high cost of legal fees and accounting fees required to successfully file and confirm a plan of reorganization usually limit this form of relief to businesses with a solid income and large amounts of debt that need to be restructured.

### **Chapter 13 Bankruptcy**

A Chapter 13 is similar to a Chapter 11 bankruptcy, in that the Debtor must propose a plan to repay creditors that meets the standards of the law. Chapter 13's are overseen by a standing Trustee. The Debtor must pay the Trustee's fees in addition to the Debtor's own legal fees and payments to Creditors. There are monetary limits on who can file a Chapter 13. Only individuals can file a Chapter 13, it is unavailable to corporate entities and partnerships. Chapter 13 debtors are also permitted to keep their exempt property so long as they comply with the terms of their plan, and may be able to restructure some secured debts. Taxes can be included as part of the Plan as well.

## **Benefits of the Automatic Stay**

One of the great benefits of filing Bankruptcy is the automatic stay, which goes into effect the moment the petition is filed, and is intended to stop all litigation and collection tactics immediately, so as to put all creditors on an even footing and give the Debtor breathing room. If a creditor violates the stay, they may be sanctioned by the Bankruptcy Court upon the filing of a motion by the Debtor's attorney. As a practical matter, Creditors will usually stop all contact immediately when they confirm that a petition in Chapter 7, 11 or 13 is filed. If you receive any contact whatsoever from creditors after filing, notify us immediately.

## **Fees and Costs**

Bankruptcy fees and costs vary widely. Our firm offers a free initial consultation for potential Bankruptcy clients. If you bring an accurate description of your debts and property, with approximate values, to your initial conference, you will leave with a good approximation of what your bankruptcy will cost, what to expect during your case, and whether bankruptcy is right for you. Remember that previous filings and/or dismissals of bankruptcy cases may affect your ability to file a new case, so be sure to disclose them to us.

## **What to bring to the initial free consultation**

You should take time to make a comprehensive list of all your creditors and your debts, with accurate amounts for each. Be sure to indicate which are secured debts, listing them separately and indicating what property secures the debt, such as your home, automobiles or furniture, etc. A basic list of your property, with approximate values, is also needed to evaluate your situation and what property can be exempted and kept after bankruptcy. You will fill out a comprehensive questionnaire when you arrive at the office, so that we can evaluate your situation accurately and give you useful advice. *Please come prepared, since you will have to pay a fee if a second conference is required. If you have tax claims, lawsuits pending or other urgent issues, please bring all relevant paperwork regarding these matters with you. For your convenience, we have provided a form at the end of this document for you to fill out, print and bring to the initial consultation.*

## **Contact Us**

*You can make an appointment for your initial free consultation by calling us, or by emailing us at <http://borlandlaw.com/contact.html>. ([frontdesk@borlandlaw.com](mailto:frontdesk@borlandlaw.com))*

**BANKRUPTCY WORK SHEETS**

**INDIVIDUAL DEBTORS**

**INSTRUCTIONS**

Answer all of the following questions in **COMPLETE DETAIL (We need every bit of information asked on these forms so fill them out completely, do not leave anything blank)**. If you need more space to answer any questions, use the back of the page or insert another piece of paper and refer to it on the form so that we know it has been inserted. If you do not understand a question write **"DON'T UNDERSTAND"** next to the question. Call the bankruptcy paralegal for help with questions you do not understand. Do not guess at any answers. **If you have any doubt whether you should include something in your answers, go ahead and include it. Only the information contained in these forms will be included in your bankruptcy. Any oral conversation with myself or my staff regarding additional information for your bankruptcy that is not written in these forms will not be included in your bankruptcy.**

**WARNING:** Official bankruptcy forms will be prepared using the information contained in this questionnaire and you will be required to sign the official bankruptcy forms under oath. **The failure to provide complete and accurate information on the official bankruptcy forms can constitute a FEDERAL CRIME, and may also result in your debts not being discharged in bankruptcy. See attached sheet for warning of bankruptcy crimes.**

**I have read and understand the instructions given above.**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

(This section for office use:)

CHAPTER: \_\_\_\_\_

ATTORNEY: \_\_\_\_\_

RETAINER QUOTE: \_\_\_\_\_

MINIMUM DOWN: \_\_\_\_\_

**BORLAND & BORLAND  
213 N. MAIN  
MIDLAND, TX 79701**

**WARNING §152 Bankruptcy Crimes**

Whoever knowingly and fraudulently conceals from the custodian, trustee, marshal or other officer of the court charged with the control or custody of property, or from creditors in any bankruptcy proceeding, and property belonging to the estate of a debtor; or

Whoever knowingly and fraudulently presents, makes a false declaration, certificate, verification or statement under penalty of perjury as permitted under section 1746 of Title 28, United States Code (28 USCS § 1746), in or in relation to any bankruptcy proceeding; or

Whoever knowingly and fraudulently presents any false claim for proof against the estate of the debtor, or uses any such claim in bankruptcy proceeding, personally, or by agent, proxy, or attorney, or as agent, proxy, or attorney; or

Whoever knowingly and fraudulently receives any material amount of property from a debtor after the filing of a bankruptcy proceeding, with intent to defeat the provisions of Title 11; or

Whoever knowingly and fraudulently gives, offers, receives or attempts to obtain any money or property, remuneration, compensation, reward, advantage or promise thereof, for acting or forbearing to act in any bankruptcy proceeding; or

Whoever, either individually or as an agent or officer of any person or corporation, in contemplation of bankruptcy proceeding by or against him or any other person or corporation or with intent to defeat the bankruptcy law, knowingly and fraudulently transfers or conceals any of his property or the property of such other person or corporation; or

Whoever, after the filing of a bankruptcy proceeding or the in contemplation thereof, knowingly and fraudulently conceals, destroys, mutilates, falsifies, or makes a false entry in any recorded information, including books, documents, records, and paper, relating to the property or affairs of a debtor; or

Whoever, after the filing of a bankruptcy proceeding, knowingly and fraudulently withholds from a custodian, trustee, marshal, or other office of the court entitled to its possession, any recorded information, including books, documents, records, and papers, relating to the property of financial affairs of a debtor.

Shall be fined not more than \$250,000.00 or imprisoned not more than five years or both.

**DEBTOR INFORMATION**

1. Chapter you are filing, if known: \_\_\_\_\_7 \_\_\_\_\_13 \_\_\_\_\_11

2. Filing Status: check which applies to you:

a)

- \_\_\_\_\_ Individual Unmarried
- \_\_\_\_\_ Individual, married and living together
- \_\_\_\_\_ Individual, married and living Apart
- \_\_\_\_\_ Joint, married and living together
- \_\_\_\_\_ Joint, married and living apart

b) Are you:

- \_\_\_\_\_ In business for yourself
- \_\_\_\_\_ Not in Business

c) Have you been in a partnership with anyone, or been in business for yourself, during previous six years? If so, provide the following information for each business or partnership:

Name of business \_\_\_\_\_  
Employer's identification number: \_\_\_\_\_  
Address: \_\_\_\_\_  
Type of business \_\_\_\_\_  
Date business began: \_\_\_\_\_  
Date business terminated: \_\_\_\_\_  
Name and address of any partners: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. NAME AND RESIDENCE:

a. Husband:

Full Name:

Last \_\_\_\_\_, First \_\_\_\_\_, Middle \_\_\_\_\_

Social Security

No. \_\_\_\_\_

Tax Identification: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work: \_\_\_\_\_

Mailing address: \_\_\_\_\_

Street address if different:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

County: \_\_\_\_\_

b. **Wife:**  
Full Name:  
Last \_\_\_\_\_, First \_\_\_\_\_, Middle \_\_\_\_\_ Social Security No.

\_\_\_\_\_  
Tax Identification: \_\_\_\_\_  
Home phone \_\_\_\_\_ Work \_\_\_\_\_  
Mailing address: \_\_\_\_\_  
Street address if different:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
County: \_\_\_\_\_

c. Have you used, or been known by, any other names within the previous two years? (If so, give the reason. For example, have you used a maiden name, nickname, business name, d/b/a, etc.)

Husband: \_\_\_\_\_  
Wife: \_\_\_\_\_

d. When did you move to your present home address? \_\_\_\_\_  
Address and dates for last two years:  
(Name used if different)

_____	Dates _____
_____	Dates _____
_____	Dates _____

**5. Current employment for:**

**Husband:**  
Employer: \_\_\_\_\_  
Address: \_\_\_\_\_, City \_\_\_\_\_, State \_\_\_\_, Zip \_\_\_\_  
How long employed: \_\_\_\_\_

**OR Self employed:** \_\_\_\_\_ type business \_\_\_\_\_  
How long employed \_\_\_\_\_ job position \_\_\_\_\_

**Wife:**  
Employer: \_\_\_\_\_  
Address: \_\_\_\_\_, City \_\_\_\_\_, State \_\_\_\_, Zip \_\_\_\_  
How long employed: \_\_\_\_\_

**OR Self employed:** \_\_\_\_\_ type business \_\_\_\_\_  
How long employed \_\_\_\_\_ job position \_\_\_\_\_

**6. IF YOU HAVE NOT OPERATED A BUSINESS, GO TO QUESTION #7**

a. Principal Place of Business (if any) (include complete address and county). If the

location of the principal assets of the business is different, please provide that address also.  
Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

b. Give beginning date of business at present location \_\_\_\_\_

Address and dates for last two years:

(Name used if different)

\_\_\_\_\_ Dates \_\_\_\_\_

\_\_\_\_\_ Dates \_\_\_\_\_

\_\_\_\_\_ Dates \_\_\_\_\_

c. Give Tax Id number of business: \_\_\_\_\_

d. Give S.E.C. filing number, if any \_\_\_\_\_

Please describe business conducted, if any:

(Ex. Ladies clothing sales) \_\_\_\_\_

e. **COMPLETE ONLY FOR BUSINESS FILINGS:**

Please check one of the following:

1. \_\_\_\_\_ Corporation
2. \_\_\_\_\_ Partnership
3. \_\_\_\_\_ Doing Business As.

Provide the following information about the person who will be signing documents for the business.

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

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

(Ex: Partner, President, Owner)

### **ASSETS**

Please make a complete list of the corporation's or business's assets, including the market value of each item:

1. Vehicles
2. Office Equipment
3. Machinery
4. Checking account balance
5. Cash on Hand
6. Inventory
7. Accounts receivable (a complete list of names and amounts)
8. Notes

**7. PREVIOUS BANKRUPTCIES**

If you or any of your businesses, partnerships or affiliates have ever filed bankruptcy, or had an involuntary bankruptcy petition filed against you or one of your businesses, please complete the following questions. If not, please go to question number 8.

a. Bankruptcy Petitions filed by or against:

- (a) Name of Filer: \_\_\_\_\_
- (b) Location Filed: \_\_\_\_\_
- (c) Case Number: \_\_\_\_\_
- (d) Date filed: \_\_\_\_\_
- (e) Judge: \_\_\_\_\_
- (f) Status: \_\_\_\_\_
- (g) Additional Bankruptcy petitions?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, provide the information requested above for the additional petitions. A bankruptcy that has been dismissed for whatever reason also should be listed.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

b. Give the following information for any currently held bankruptcy cases in which you or a business, affiliate or partnership in which you are involved is a debtor:

- (1) Name of Filer: \_\_\_\_\_
- (2) Location Filed: \_\_\_\_\_
- (3) Case Number: \_\_\_\_\_
- (4) Date filed: \_\_\_\_\_
- (5) Judge: \_\_\_\_\_
- (6) Relationship: \_\_\_\_\_
- (7) Additional pending Bankruptcy cases?  
Yes \_\_\_\_\_ No \_\_\_\_\_

If Yes, provide the information requested above for the additional petitions.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**8. GROSS INCOME RECEIVED FROM:**

a. Employment, Trade, Profession, Operation of Business for:

**Husband:**

1. This year:  
EMPLOYER: \_\_\_\_\_

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_

(c) Year to Date Amount: \_\_\_\_\_

2. Last Year:

EMPLOYER

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_

(c) Amount made: \_\_\_\_\_

3. Previous Year:

EMPLOYER

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_

(c) Amount Made: \_\_\_\_\_

**WIFE:**

1. This year:  
EMPLOYER: \_\_\_\_\_

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_

(c) Year to Date Amount: \_\_\_\_\_

2. Last Year:

EMPLOYER

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_

(c) Amount made: \_\_\_\_\_

3. Previous Year:

EMPLOYER

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_

(c) Amount Made: \_\_\_\_\_

b. All other sources of income for:

**HUSBAND:**

1. This year:  
EMPLOYER: \_\_\_\_\_

(a) Hire month and date: \_\_\_\_\_

(b) Hire year: \_\_\_\_\_  
(c) Year to Date Amount: \_\_\_\_\_

2. Last Year:  
EMPLOYER

(a) Hire month and date: \_\_\_\_\_  
(b) Hire year: \_\_\_\_\_  
(c) Amount made: \_\_\_\_\_

3. Previous Year:  
EMPLOYER

(a) Hire month and date: \_\_\_\_\_  
(b) Hire year: \_\_\_\_\_  
(c) Amount Made: \_\_\_\_\_

**WIFE:**

1. This year:  
EMPLOYER: \_\_\_\_\_  
(a) Hire month and date: \_\_\_\_\_  
(b) Hire year: \_\_\_\_\_  
(c) Year to Date Amount: \_\_\_\_\_

2. Last Year:  
EMPLOYER

(a) Hire month and date: \_\_\_\_\_  
(b) Hire year: \_\_\_\_\_  
(c) Amount made: \_\_\_\_\_

3. Previous Year:  
EMPLOYER

(a) Hire month and date: \_\_\_\_\_  
(b) Hire year: \_\_\_\_\_  
(c) Amount Made: \_\_\_\_\_

**9. PAYMENTS OF LOANS, INSTALLMENT PURCHASES AND OTHER DEBTS**

a. List all payments on loans, credit cards, installment purchases of goods or services, and other debts, when such payments to one creditor, are made within 90 days and total more than \$600.00. Do not list secured monthly payments (i.e. home mortgage, or vehicles) these payments will be reflected in the bankruptcy schedules.

Name of Creditor: \_\_\_\_\_  
Address: \_\_\_\_\_  
Relationship of lender: \_\_\_\_\_

Date loan obtained: \_\_\_\_\_  
Property: \_\_\_\_\_  
Amount of loan: \_\_\_\_\_  
Date Loan Paid off: \_\_\_\_\_  
Amount of final payment: \_\_\_\_\_  
(For other, use the back or additional pages.)

b. List all payments made over the past year that you made directly to any creditor who is an insider. Also list all payments made over the past year that you made for the benefit of an insider, for instance, if you made a car payment for your brother in law.) For individual debtors, an "insider" includes creditors who were:

1. Your relative, or a relative of your general partner,
  2. Your partner, or a partnership in which you were a general partner; or
  3. A corporation which you serve as a director, officer, or person in control.
- For debtors who are corporations, an "insider" includes creditors who were:

1. A director, officer or person in control of the corporation;
2. A general partner of the corporation, or a partnership in which the corporation was a general partner; or
3. A relative of a general partner, director, officer, or person in control of the debtor.

For debtors who are partnerships, an "insider" includes creditors who were:

1. A general partner in or of the debtor partnership, or a partnership in which the debtor partnership was a general partner;
2. A relative of a general partner in, general partner of, or person in control of the debtor partnership; or
3. A person in control of the debtor partnership.

If there is any doubt whether or not a person or entity is an insider, list the payments.

Name of Creditor: \_\_\_\_\_  
Address: \_\_\_\_\_  
Relationship of lender: \_\_\_\_\_  
Date loan obtained: \_\_\_\_\_  
Property: \_\_\_\_\_  
Amount of Loan: \_\_\_\_\_  
Date Loan Paid off: \_\_\_\_\_

Amount of final payment: \_\_\_\_\_

(For others, use the back or additional pages)

**10. SUITS, EXECUTIONS AND ATTACHMENTS.**

a. Are you a party to any suit presently pending? If so, please answer the following:

Name and location court: \_\_\_\_\_

\_\_\_\_\_

Docket or Cause No. \_\_\_\_\_

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

\_\_\_\_\_

Nature of suit: \_\_\_\_\_

\_\_\_\_\_

Are you plaintiff or defendant? \_\_\_\_\_

b. Were you a party to any suit terminated within the last year? If so, please answer the following:

Name and location court: \_\_\_\_\_

\_\_\_\_\_

Docket or Cause No. \_\_\_\_\_

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

\_\_\_\_\_

Nature of suit: \_\_\_\_\_

\_\_\_\_\_

Result: \_\_\_\_\_

\_\_\_\_\_

Were you plaintiff or defendant? \_\_\_\_\_

**11. ANY GARNISHMENT OR SEIZURE OF YOUR PROPERTY IN THE LAST YEAR?**

Name of Creditor: \_\_\_\_\_

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

Date happened: \_\_\_\_\_  
Description of property: \_\_\_\_\_  
Value of property: \_\_\_\_\_

**12. REPOSSESSIONS, RETURNS, OR FORECLOSURES.**

Have you returned any property to, has any property been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller during the last year? If so, please answer the following:

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Description of property: \_\_\_\_\_  
Market Value: \_\_\_\_\_  
Date Repossessed or returned: \_\_\_\_\_

**13. ASSIGNMENT**

Have you made any assignment of your property of the benefit of your creditors, or any general settlement with your creditors within the last two years? If so, give dates, the name and address of the assignee and a brief settlement of the terms of the assignment. (This does not include usual mortgages, which are "transfers" and are inquired about below.)

Yes: \_\_\_\_\_ No: \_\_\_\_\_

Name of Assignee: \_\_\_\_\_  
Address of assignee: \_\_\_\_\_  
Terms of the assignment: \_\_\_\_\_  
Date of Assignment: \_\_\_\_\_

**14. RECEIVERSHIPS**

Is any of your property in the hands of a receiver, trustee or other liquidating agents? If so, give the name and addresses of the receiver, trustee or other agent, and, if the agent was appointed in a court proceeding, the name and location of the court, the title and number of the case and the nature of case.

Yes: \_\_\_\_\_ No: \_\_\_\_\_

Court proceeding:  
Name of Court: \_\_\_\_\_  
Title of case: \_\_\_\_\_  
Number of case: \_\_\_\_\_  
Nature of proceeding: \_\_\_\_\_  
Name and address of receiver, trustee or agent: \_\_\_\_\_  
Date of Order: \_\_\_\_\_

Description and Value of property involved: \_\_\_\_\_

\_\_\_\_\_

### 15. GIFTS OR CONTRIBUTIONS

Have you made any gifts, other than ordinary and usual presents to family members and charitable donations, during the last year? If so, give names and addresses of the person, organization receiving a gift and dates, description and value of the gifts.

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

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

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

Description of property: \_\_\_\_\_

Value: \$ \_\_\_\_\_

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

### 16. LOSSES

Have you suffered any losses from fire, theft, other casualty or gambling during the last year? If so, Please answer the following:

Property: \_\_\_\_\_

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

Details of loss: \_\_\_\_\_

Property value: \$ \_\_\_\_\_

If so, was the loss covered in whole or part by insurance?

Amount insurance company paid \$ \_\_\_\_\_

### 17. PAYMENTS OR TRANSFERS TO ATTORNEYS. ( Other than the attorney currently representing you in this bankruptcy proceeding)

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

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

Phone #: \_\_\_\_\_

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

Have you paid any money or transferred any property to the attorney referred to in the previous question or to any other person on his behalf in the last year? If so, please answer the following:

Name: \_\_\_\_\_  
Date: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_  
Property transferred: \_\_\_\_\_  
\_\_\_\_\_  
Person who paid attorney (if not you) \_\_\_\_\_

## 18. TRANSFERS

a. Have you made any other transfer, absolute or for the purpose of security, or any other disposition of property which was not in the ordinary course of business during the last year? (This includes any form of transfer whatsoever, including selling, mortgaging or giving money or property away.)

If so, please answer the following: (Do not include information already given in question 15).

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Date of transfer or disposition: \_\_\_\_\_  
\_\_\_\_\_  
Value: \$ \_\_\_\_\_  
Relationship: \_\_\_\_\_

b. Have you sold any property or otherwise disposed of any property that was, or might have been subject to a security interest or lien of a creditor within the last four years? (Please be aware that many stores and finance companies that sell or finance larger purchases, such as appliances, stereos, TV sets, and include a security agreement on their sales slip or require you to sign a rate agreement. If you are unsure whether the property was security for a creditor charge, list it here as a possibility.) If so, please answer the following:

ANSWER: Yes: \_\_\_\_\_ No: \_\_\_\_\_

Name of creditor: \_\_\_\_\_  
Address: \_\_\_\_\_  
Property sold or disposed of: \_\_\_\_\_  
\_\_\_\_\_  
Date: \_\_\_\_\_  
Value: \_\_\_\_\_  
Names of person receiving property: \_\_\_\_\_  
\_\_\_\_\_  
Amount received: \$ \_\_\_\_\_  
Value of property: \$ \_\_\_\_\_

## 19. FINANCIAL ACCOUNTS (CLOSED OR SOLD)

What

- (a) Bank accounts;
- (b) Certificates of deposit;
- (c) Shares in banks, savings and loan;

- (d) Thrift, building and loan or homestead associations;
- (e) Credit unions;

(f) Brokerage houses; and/or

(g) Pension funds,

and the like have you maintained, alone or together with any other person, and in your own or any other name, that have been closed, sold or otherwise transferred within the last year. Give the name and address of every person authorized to make withdrawals from each account.

Name on account: \_\_\_\_\_

Name and address of bank: \_\_\_\_\_

Persons authorized to withdraw funds: \_\_\_\_\_

Account Number: \_\_\_\_\_

Date closed: \_\_\_\_\_

Type of Account: \_\_\_\_\_

Final Balance: \_\_\_\_\_

Amount sold for \_\_\_\_\_

Name on account: \_\_\_\_\_

Name and address of bank: \_\_\_\_\_

Persons authorized to withdraw funds: \_\_\_\_\_

Account Number: \_\_\_\_\_

Date closed: \_\_\_\_\_

Type of Account: \_\_\_\_\_

Final Balance: \_\_\_\_\_

Amount sold for \_\_\_\_\_

(FOR ANY ADDITIONAL ACCOUNTS, LIST THE SAME INFORMATION ASKED ABOVE ON A SEPARATE PIECE OF PAPER OR ON THE BACK.)

## 20. SAFE DEPOSIT BOXES

What safe deposit box or boxes, or other depository or depositories have you kept or used for your securities, cash, or other valuables within the last two years? Give the name and address of every person who had access to the box and a description of its contents. If the box has been surrendered, state when surrendered or if transferred, when transferred and the name and address of the person it was transferred to.

Name of Bank: \_\_\_\_\_

Persons authorized to use: \_\_\_\_\_

Contents: \_\_\_\_\_

If box has been surrendered, date: \_\_\_\_\_

## 21. SETOFFS

What debts have you owed to any creditor, including any bank, which were setoff by that creditor

against a debt or deposit owing by the creditor to you during the last year? Setoff means that the creditor was owed a debt, and the creditor (usually a bank) took a deposit (including amounts in an account) and applied the deposit to the debt, or canceled a debt the creditor owed to you to satisfy your debt to the creditor.

Name and address of the person who setoff: \_\_\_\_\_

Date of setoff: \_\_\_\_\_

Amount: \$ \_\_\_\_\_

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

## 22. PROPERTY HELD FOR ANOTHER PERSON

What property do you hold or control for any other person? (Give names and addresses of each person, and describe the property, the cost or value of it and all writings relating to it.)

Property: \_\_\_\_\_

Value: \_\_\_\_\_

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

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

Documents: \_\_\_\_\_

## 23. PROPERTY HELD BY ANOTHER PERSON

List all property that some other person holds or controls for you, or that is titled in some other person's name but belongs to you.

Property: \_\_\_\_\_

Value: \_\_\_\_\_

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

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

Documents: \_\_\_\_\_

Physical location of property: \_\_\_\_\_

\_\_\_\_\_

Circumstances: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## 24. SPOUSES AND FORMER SPOUSES

If the debtor resides or resided on a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington or Wisconsin) within the six year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

Name of former spouse: \_\_\_\_\_

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

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If this applies, is there any property remaining undivided from the marriage which is to be received pursuant to the divorce. If so please list the property and value.

Property: \_\_\_\_\_

Value: \_\_\_\_\_

(For others, use the back or additional pages)

## 25. CONTRACTS & LEASES

List all executory contracts, unexpired leases or time share property you are a party to or in which you own an interest. Executory contracts can be real estate leases, contracts to purchase property, lease/purchase agreements, etc. If you are unsure whether this question applies to a contract or agreement, assume that it does and list the contract or lease.

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

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

Lease terms: \_\_\_\_\_

Property involved: \_\_\_\_\_

## 26. BOOKS AND RECORDS.

a. Have you kept books of account or records relating your affairs within the \_\_\_\_\_ previous two years? (ex. Tax returns, check book registers, canceled checks, \_\_\_\_\_ inventories, balance sheets, financial statement, etc.)

YES: \_\_\_\_\_ NO: \_\_\_\_\_

b. In whose possession are these books or records? (Give names and addresses.)

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

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

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

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

c. If any of these books or records are not available, explain. (Lost, destroyed or disposed of)

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## 27. FINANCIAL STATEMENTS

Have you provided a financial statement to anyone in the last two years? If so, please provide a copy and answer the following:

Statement provided to: \_\_\_\_\_

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

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

Reason for financial statement: \_\_\_\_\_

---

Statement provided to: \_\_\_\_\_

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

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

Reason for financial statement: \_\_\_\_\_

(For others, use the back or additional pages)

**28. NATURE, LOCATION AND NAME OF BUSINESS**

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self employed professional within the six years immediately preceding the commencement of this case, or which the debtor owned 5 percent or more of the voting or equity securities.

b. If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities

c. If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities

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

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

TIN: \_\_\_\_\_

Nature of business: \_\_\_\_\_

Date Started: \_\_\_\_\_

Date Ended: \_\_\_\_\_

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

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

TIN: \_\_\_\_\_

Nature of business: \_\_\_\_\_

Date Started: \_\_\_\_\_

Date Ended: \_\_\_\_\_

**PROPERTY**

**1. REAL ESTATE**

**RESIDENCE:**

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

City, State, Zip: \_\_\_\_\_ County: \_\_\_\_\_  
Legal description: \_\_\_\_\_

( ) House & Lot ( ) Mobile Home & Lot ( ) Mobile Home Only  
**ESTIMATED MARKET VALUE OF PROPERTY** \$ \_\_\_\_\_

(What you think you could sell your home for on today's market)

Liens: \_\_\_\_\_ V. A. Loan \_\_\_\_\_ FHA \_\_\_\_\_ Conventional?

1st Lien Held by: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_

2nd Lien Held by: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_

3rd Lien Held by: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_

## 2. OTHER REAL ESTATE

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

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

Legal description: \_\_\_\_\_

( ) House & Lot ( ) Mobile Home & Lot ( ) Mobile Home Only  
**ESTIMATED MARKET VALUE OF PROPERTY** \$ \_\_\_\_\_

(What you think you could sell your home for on today's market)

Liens: \_\_\_\_\_ V. A. Loan \_\_\_\_\_ FHA \_\_\_\_\_ Conventional?

1st Lien Held by: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_

2nd Lien Held by: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_

3rd Lien Held by: \_\_\_\_\_ Amount Owed \$ \_\_\_\_\_

**\*FILL OUT THE ABOVE INFORMATION FOR EACH PIECE OF REAL PROPERTY OWNED. YOU MUST ALSO COMPLETE A DEBT FORM FOR EACH LIENHOLDER, AND FOR EACH GUARANTOR OF ANY LOAN OR DEBT THAT YOU OWE.**

3. **CASH ON HAND** (Estimated) at time of anticipated filing \$ \_\_\_\_\_

4. **FINANCIAL ACCOUNTS (OPEN)** (check each account you obtain)

What

- (a) \_\_\_\_\_ Bank accounts
- (b) \_\_\_\_\_ Certificates of deposit
- (c) \_\_\_\_\_ Shares in banks, savings and loan
- (d) \_\_\_\_\_ Thrift, building and loan or homestead associations
- (e) \_\_\_\_\_ Credit unions
- (f) \_\_\_\_\_ Brokerage houses
- (g) \_\_\_\_\_ Pension funds, retirement plans

and the like have you maintained, alone or together with any other person, and in your own or any other name that have been, open within the year. Give name and address of every person authorized to make withdrawals from each account.

Name on account: \_\_\_\_\_

Name and address of bank: \_\_\_\_\_

Persons authorized to withdraw funds: \_\_\_\_\_

Account Number: \_\_\_\_\_  
Date opened: \_\_\_\_\_  
Type of Account: \_\_\_\_\_  
Balance: \_\_\_\_\_

Name on account: \_\_\_\_\_  
Name and address of bank: \_\_\_\_\_  
Persons authorized to withdraw funds: \_\_\_\_\_  
Account Number: \_\_\_\_\_  
Date opened: \_\_\_\_\_  
Type of Account: \_\_\_\_\_  
Balance: \_\_\_\_\_

Name on account: \_\_\_\_\_  
Name and address of bank: \_\_\_\_\_  
Persons authorized to withdraw funds: \_\_\_\_\_  
Account Number: \_\_\_\_\_  
Date opened: \_\_\_\_\_  
Type of Account: \_\_\_\_\_  
Balance: \_\_\_\_\_

Name on account: \_\_\_\_\_  
Name and address of bank: \_\_\_\_\_  
Persons authorized to withdraw funds: \_\_\_\_\_  
Account Number: \_\_\_\_\_  
Date opened: \_\_\_\_\_  
Type of Account: \_\_\_\_\_  
Balance: \_\_\_\_\_

Name on account: \_\_\_\_\_  
Name and address of bank: \_\_\_\_\_  
Persons authorized to withdraw funds: \_\_\_\_\_  
Account Number: \_\_\_\_\_  
Date opened: \_\_\_\_\_  
Type of Account: \_\_\_\_\_  
Balance: \_\_\_\_\_

(ANY ADDITIONAL ACCOUNTS LIST THE SAME INFORMATION ASKED ABOVE ON A SEPARATE PIECE OF PAPER OR ON THE BACK)

**5. DEPOSITS:** (List Deposits with utility companies, Landlords, Etc. If any)

Name: \_\_\_\_\_ Amount \$ \_\_\_\_\_  
Name: \_\_\_\_\_ Amount \$ \_\_\_\_\_  
Name: \_\_\_\_\_ Amount \$ \_\_\_\_\_

6. Household goods & furnishings: (**GARAGE SALE VALUE OF EACH ITEM**) (if you have more than one of the below mentioned items put the number of how many you have next to the item)

**LIVING ROOM:**

\$ \_\_\_\_\_ Sofa  
 \$ \_\_\_\_\_ Love Seat  
 \$ \_\_\_\_\_ Recliner  
 \$ \_\_\_\_\_ Side Chair  
 \$ \_\_\_\_\_ Rocking Chair

**KITCHEN/DINING ROOM:**

\$ \_\_\_\_\_ Stove  
 \$ \_\_\_\_\_ Refrigerator  
 \$ \_\_\_\_\_ Trash compactor  
 \$ \_\_\_\_\_ Microwave  
 \$ \_\_\_\_\_ Table

\$ \_\_\_\_\_ Coffee Table  
 \$ \_\_\_\_\_ End Table  
 \$ \_\_\_\_\_ End Table  
 \$ \_\_\_\_\_ Bookcase  
 \$ \_\_\_\_\_ T.V.  
 \$ \_\_\_\_\_ Desk  
 \$ \_\_\_\_\_ VCR  
 \$ \_\_\_\_\_ Stereo  
 \$ \_\_\_\_\_ Stereo Cabinet  
 \$ \_\_\_\_\_ Lamps  
 \$ \_\_\_\_\_ Computer

\$ \_\_\_\_\_ Chairs  
 \$ \_\_\_\_\_ Dining Table  
 \$ \_\_\_\_\_ Dining chairs  
 \$ \_\_\_\_\_ China Cabinet  
 \$ \_\_\_\_\_ Buffet  
 \$ \_\_\_\_\_ Small Appliances  
 \$ \_\_\_\_\_ China  
 \$ \_\_\_\_\_ Silver

**OTHER:**

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

**OTHER:**

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

**BEDROOM:**

\$ \_\_\_\_\_ King-size Bed  
 \$ \_\_\_\_\_ Queen-size Bed  
 \$ \_\_\_\_\_ Double Bed  
 \$ \_\_\_\_\_ Twin Bed  
 \$ \_\_\_\_\_ Crib  
 \$ \_\_\_\_\_ Dresser  
 \$ \_\_\_\_\_ Chest of Drawers  
 \$ \_\_\_\_\_ Night Stands  
 \$ \_\_\_\_\_ clocks  
 \$ \_\_\_\_\_ Cedar Chest

**BEDROOM 2**

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

**BEDROOM 3**

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

**OTHER**

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_  
 \$ \_\_\_\_\_ \$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_ \$ \_\_\_\_\_

**BATHROOM  
GOODS**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**MISC. GENERAL HOUSEHOLD**

\$ \_\_\_\_\_ Camera  
\$ \_\_\_\_\_ Radios  
\$ \_\_\_\_\_ Vacuums  
\$ \_\_\_\_\_ Sewing machine

**OTHER:**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**GARAGE/UTILITY ROOM**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_ Washer & Dryer  
\$ \_\_\_\_\_ Freezer  
\$ \_\_\_\_\_ Misc. Hand Tools  
\$ \_\_\_\_\_ Misc. Garden Tools  
\$ \_\_\_\_\_ Misc. Electric Tools  
\$ \_\_\_\_\_ Lawn mower

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**OTHER:**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**WEARING APPAREL**

\$ \_\_\_\_\_ Men's clothing  
\$ \_\_\_\_\_ Women's clothing  
\$ \_\_\_\_\_ Kid's clothing

**COLLECTIONS**

\$ \_\_\_\_\_ Art Collections  
\$ \_\_\_\_\_ Coin Collections  
\$ \_\_\_\_\_ Stamp Collections  
\$ \_\_\_\_\_ Figurines  
\$ \_\_\_\_\_ Models

\$ \_\_\_\_\_ (Amount combined)

**FIREARMS**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**OTHER:**

\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**JEWELRY**

\$ \_\_\_\_\_ Man's Wedding ring

**SPORTS EQUIPMENT**

\$ \_\_\_\_\_ Bicycles #

\$ _____ Woman's Wedding ring	\$ _____ Exercise equip.
\$ _____ Man's Watch	\$ _____ Golf Clubs
\$ _____ Woman's Watch	<b>OTHER:</b>
\$ _____ Chains & Necklaces	\$ _____
\$ _____ Earrings	\$ _____
\$ _____ Bracelets	
\$ _____ Rings	<b><u>Boats, motors and other</u></b>
\$ _____ Pins	\$ _____
\$ _____ Costume Jewelry	\$ _____
\$ _____ Misc. Jewelry	\$ _____

**AUTOMOBILES, TRUCKS, TRAILERS AND OTHER VEHICLES**

(List year, make, model and value, (3 combined book values)

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**LIVESTOCK, POULTRY AND OTHER ANIMALS**

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_ FARMING SUPPLIES AND IMPLEMENTS (Attach separate list)

\$ \_\_\_\_\_ OFFICE EQUIPMENT, FURNISHINGS AND SUPPLIES (Attach separate listing)

\$ \_\_\_\_\_ TOOLS OF TRADE, MACHINERY AND EQUIPMENT USED IN BUSINESS (Attach separate listing)

**INSURANCE POLICIES**

(List only the policies in which you have a cash value and give the amount of the case value)

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_ TAX REFUNDS NOT YET RECEIVED FOR CURRENT OR PRIOR YEARS. (If you expect to get a refund for this coming tax season give an Estimated return for this year if any)

\$ \_\_\_\_\_ INVENTORY (Attach separate listing)

\$ \_\_\_\_\_ TANGIBLE PROPERTY OF ANY OTHER DESCRIPTION (Attach separate listing)

\$ \_\_\_\_\_ PATENTS, COPYRIGHTS, FRANCHISES AND OTHER INTANGIBLES (Attach separate listing)

\$ \_\_\_\_\_ BONDS, NEGOTIABLE AND NONNEGOTIABLE INSTRUMENTS (Attach separate listing)

\$ \_\_\_\_\_ OTHER LIQUIDATED DEBTS DUE AND OWING DEBTOR, ex. Accounts Receivable etc., (Attach separate listing)  
\$ \_\_\_\_\_ ANNUITIES (Attach separate listing)  
\$ \_\_\_\_\_ CONTINGENT AND UNLIQUIDATED CLAIMS, INCLUDING COUNTERCLAIMS (Attach separate listing)  
\$ \_\_\_\_\_ STOCKS AND INTERESTS IN CORP. OR UNINCORPORATED CO. (Attach separate listing)  
\$ \_\_\_\_\_ INTERESTS IN PARTNERSHIPS (Attach separate listing)  
\$ \_\_\_\_\_ OTHER PROPERTY OF ANY KIND, CHARACTER OR DESCRIPTION (Attach description)

Has anyone died and made you beneficiary in any estate during the last 5 years? If yes explain fully:

Name of deceased: \_\_\_\_\_  
Date of inheritance: \_\_\_\_\_  
Value of inheritance: \_\_\_\_\_  
Relationship Explanation: \_\_\_\_\_

**PLEASE BRING THE FOLLOWING PAPERS WITH YOU WHEN YOU COME TO THE OFFICE:**

- A. Copies of deeds, contracts and tax notices on all parcels of real estate that you own, if any.
- B. Your declaration of homestead, if any.
- C. Copies of all mortgages, pledges, liens or deeds of trust involving any of your property.
- D. Copies of your federal and state income tax returns for the last two years.
- E. Copies of all papers served on or filed against you.
- F. Copies of all financial statements given at any time.
- G. All Executory contracts, leases and agreements.

## **YOUR DEBTS**

**INSTRUCTIONS:** In order for a debt to be discharged in bankruptcy, it must be listed on the official bankruptcy forms and the name and address of the creditor must be correctly listed on the forms. The information that is filled on this form and on the accompanying debt forms will be used to complete the official bankruptcy forms. It is important, therefore, that you list every possible debt, even those that you dispute or deny owing and those to friends or relatives. It is also important that the addresses given for the creditors be correct and current. ***WHEN YOU SIGN YOUR OFFICIAL FORMS, YOU WILL BE SWEARING UNDER PENALTY OF PERJURY THAT THE INFORMATION IS TRUE AND COMPLETE.***

You can usually get the address of the creditor and the exact amount owing to the creditor from the creditor's last statement or bill. If not, you must contact the creditor and find out how much you owe and get his current address. It is enough to show the month and year that the debt was first owed; the exact date is not required.

You must fill out a separate debt form for every debt, except debts for wages, commissions and taxes. Fill out the debt forms carefully, they are important.

Do you owe anyone for wages or commissions? If so, answer the following:

Name and address of person owed: \_\_\_\_\_

\_\_\_\_\_

Dates when wages or commissions were earned? \_\_\_\_\_

\_\_\_\_\_

Do you owe any federal, state or local taxes? If so, please complete the following:

Type of tax owed: \_\_\_\_\_

Amount of tax owed: \_\_\_\_\_

Name of Taxing Authority: \_\_\_\_\_

Address where tax is paid: \_\_\_\_\_

Date when tax became due: \_\_\_\_\_

Do you owe any other debts to any agencies of the federal government? If so, describe fully and give amount owed.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Do you owe any rent? If so, please answer the following:

Name of landlord: \_\_\_\_\_  
Date became delinquent: \_\_\_\_\_  
Amount owed: \_\_\_\_\_

Please complete the attached debt form for each debt that you owe. This form must be completed.

**CREDITOR DEBT FORM**  
**(FILL OUT EACH QUESTION COMPLETELY)**

1. Category of Creditor: \_\_\_\_\_ Secured \_\_\_\_\_ Unsecured  
a. If secured: \_\_\_\_\_ KEEP PROPERTY \_\_\_\_\_ SURRENDER PROPERTY 2. Creditor information:  
a. \_\_\_\_\_ Business \_\_\_\_\_ Individual  
b. Name: \_\_\_\_\_  
c. Address: \_\_\_\_\_  
State & Zip: \_\_\_\_\_  
d. Phone #: \_\_\_\_\_  
e. Account #: \_\_\_\_\_  
f. Relationship: \_\_\_\_\_  
g. Contact Person: \_\_\_\_\_  
h. If debtor has an executory contract or unexpired lease with creditor, provide contract or any information:  
\_\_\_\_\_  
\_\_\_\_\_

3. DEBT INFORMATION:

- a. What is debt for? (Describe property fully) (i.e. credit card, gas card, etc.)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
- b. Market value of property: \_\_\_\_\_
- c. Is anyone else responsible for this debt? **(IF SO, FILL OUT A SEPARATE FORM FOR THEM.)**  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_
- d. Date debt incurred \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_
- e. **AMOUNT CREDITOR CLAIMS YOU OWE \$** \_\_\_\_\_
- g. Do you dispute this amount? \_\_\_\_\_ Yes \_\_\_\_\_ No.  
If yes, state the amount you admit to owing, if any: \$ \_\_\_\_\_
- h. Do you claim the creditor owes you? \_\_\_\_\_ Yes \_\_\_\_\_ No.  
If yes, how much? \$ \_\_\_\_\_
- i. Are wages assigned or allotted to pay this debt?  
\_\_\_\_\_ Yes \_\_\_\_\_ No.

j. Additional information on this debt: \_\_\_\_\_

4. CREDITOR'S ACTIONS:

a. Has debt been turned over to an attorney or a collection agency?

\_\_\_\_\_ Yes \_\_\_\_\_ No.

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

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

b. Has a setoff occurred? \_\_\_\_\_ Yes \_\_\_\_\_ No.

c. Property repossessed, returned or foreclosed on \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

d. Has an assignment occurred? \_\_\_\_\_ Yes \_\_\_\_\_ No.

e. An attachment, garnishment or seizure occurred? \_\_\_\_\_ Yes \_\_\_\_\_ No

f. Has creditor brought a law suit against you for this debt?

\_\_\_\_\_ Yes \_\_\_\_\_ No. (If yes, provide suit information.)

g. Is there more than one debt on this secured property? \_\_\_\_\_

If so, give the following information for each additional creditor.

Name \_\_\_\_\_

Address \_\_\_\_\_

Amount now owed \$ \_\_\_\_\_

Is this debt insured by any person, government agency or company? **If so, fill out a separate debt form for the insuring entity.** If you are unsure, ask the creditor.

**NOTE: STUDENT LOANS ARE NOW NONDISCHARGEABLE IF THEY HAVE BEEN DUE AND IN A REPAYMENT STATUS FOR SEVEN YEARS OR LESS, EXCLUDING ANY FORBEARANCE PERIOD. PLEASE LIST ALL STUDENT LOANS YOU HAVE EVER OWED OR NOW OWE, SO THAT WE CAN DETERMINE WHETHER THEY MAY BE DISCHARGEABLE.**

**IF YOU HAVE BEEN ORDERED TO ASSUME DEBTS UNDER A DIVORCE DECREE, OR MAY OWE MONEY TO A FORMER SPOUSE UNDER A DIVORCE DECREE, CONTRACT OR AGREEMENT, FILL OUT A DEBT FORM FOR THAT FORMER SPOUSE.**

**IF YOU HAVE A LOAN THAT IS INSURED BY THE FHA, ANOTHER GOVERNMENT AGENCY, OR ANY OTHER SORT OF PRIVATE OR GOVERNMENT ENTITY, BE SURE TO FILL OUT A DEBT FORM FOR THE INSURING AGENCY, COMPANY OR INDIVIDUAL ALSO.**

**STATEMENT OF INCOME AND EXPENSES**

1. CURRENT INCOME

a. Current pay periods:

Husband:

\_\_\_\_\_ Weekly \_\_\_\_\_ Semi-monthly \_\_\_\_\_ monthly \_\_\_\_\_ Bi-weekly \_\_\_\_\_ None

Wife:

\_\_\_\_\_ Weekly \_\_\_\_\_ Semi-monthly \_\_\_\_\_ monthly \_\_\_\_\_ Bi-weekly \_\_\_\_\_ None

	Husband	Wife
b. Gross wages Per Pay Period:	\$ _____	\$ _____
c. Payroll deductions each check:		
Payroll Taxes & Soc. Sec. Insurance	\$ _____	\$ _____
Union Dues	\$ _____	\$ _____
Health Insurance	\$ _____	\$ _____
Life Insurance	\$ _____	\$ _____
Pension Plan	\$ _____	\$ _____
Other Deductions:		
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____
d. Take Home each check	\$ _____	\$ _____
e. Is your employment subject to season change? (Y/N)	_____	_____
f. Gross income for last year	\$ _____	\$ _____
g. Any other income? (Y/N)	_____	_____
If Self employed regular income:		
Income from Real Property	\$ _____	\$ _____
Interest & Dividends	\$ _____	\$ _____
Social Security or other Government assistance	\$ _____	\$ _____
Pension or retirement	\$ _____	\$ _____
Spousal Support Received	\$ _____	\$ _____
Child Support Received	\$ _____	\$ _____

Child's name \_\_\_\_\_ Age: \_\_\_\_\_ Relationship \_\_\_\_\_

2. COMBINED TOTAL TAKE HOME PAY \$ \_\_\_\_\_

A. List Dependents.

Name: \_\_\_\_\_  
 Age: \_\_\_\_\_  
 Relationship to Wife: \_\_\_\_\_  
 Relationship to Husband: \_\_\_\_\_  
 Sex: \_\_\_\_\_

Name: \_\_\_\_\_  
 Age: \_\_\_\_\_  
 Relationship to Wife: \_\_\_\_\_  
 Relationship to Husband: \_\_\_\_\_  
 Sex: \_\_\_\_\_

Name: \_\_\_\_\_  
 Age: \_\_\_\_\_  
 Relationship to Wife: \_\_\_\_\_

Relationship to Husband: \_\_\_\_\_

Sex: \_\_\_\_\_

(List other children on back)

**3. CURRENT MONTHLY EXPENSES:**

a. Rent or mortgage payments: \$ \_\_\_\_\_

b. Utilities:

Home maintenance \$ \_\_\_\_\_

Electric & Heating fuel \$ \_\_\_\_\_

Water \$ \_\_\_\_\_

Telephone \$ \_\_\_\_\_

Garbage & Sewer \$ \_\_\_\_\_

Cable \$ \_\_\_\_\_

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

c. Groceries \$ \_\_\_\_\_

d. Clothing \$ \_\_\_\_\_

e. Laundry & dry cleaning \$ \_\_\_\_\_

f. Medical, dental & medicine \$ \_\_\_\_\_

g. Transportation (gas, etc.) \$ \_\_\_\_\_

h. Newspapers, periodicals  
& Books \$ \_\_\_\_\_

i. Recreation \$ \_\_\_\_\_

j. Contributions \$ \_\_\_\_\_

k. Insurance: (not already included in payroll deduction)

Homeowners/renters \$ \_\_\_\_\_

Life \$ \_\_\_\_\_

Health \$ \_\_\_\_\_

Auto \$ \_\_\_\_\_

other \$ \_\_\_\_\_

l. Taxes: (not already included in mortgage payment)

Real Estate (property) \$ \_\_\_\_\_

Personal \$ \_\_\_\_\_

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

m. Car payment(s) \$ \_\_\_\_\_

(list each one separately) \$ \_\_\_\_\_

\$ \_\_\_\_\_

n. Alimony, maintenance or support \$ \_\_\_\_\_

o. Other payments of support of dependents not living at home \$ \_\_\_\_\_

p. Dues, Professional, union, social or otherwise \$ \_\_\_\_\_

q. Other payments \$ \_\_\_\_\_

TOTAL ESTIMATED MONTHLY EXPENSES: \$ \_\_\_\_\_

TOTAL MONTHLY INCOME: \$ \_\_\_\_\_

EXCESS OR DEFICIT OF INCOME OVER EXPENSES \$ \_\_\_\_\_

**BORLAND and BORLAND**  
**213 North Main,**  
**Midland, Texas 79701**  
**(915) 684-5290**

NOTICE TO DEBTORS CONCERNING BANKRUPTCY SCHEDULES AND LISTING OF DEBTS

TO ALL DEBTORS FILING BANKRUPTCY:

Please complete a debt form for each debt that you owe. Debts not listed on a debt form will not be included on your bankruptcy schedules, **AND YOUR DISCHARGE WILL NOT AFFECT ANY UNLISTED DEBT.** Any changes to the schedules or creditor matrix after the filing of the bankruptcy will result in an additional \$80.00 fee (\$20.00 filing fee and \$60.00 fee for processing). This fee is not included in the bankruptcy retainer fee and will be billed and must be paid before the changes are made.

If you have more than one account with a creditor, please complete a debt form for each account. For each creditor, please list the account number, if applicable, the complete address of the creditor, including zip code, the date the loan or credit card was opened, and the balance due. Answer all other questions on the form as completely as possible.

If the debt is secured, please indicate whether you wish to surrender or keep the secured item and list its current market value. The market value for a home is located on the tax assessment form. To obtain the market value for an automobile, contact your bank and ask them for the "Blue Book" values. Add the three values together and divide by three for the current market value, unless the vehicle is in unusually good or bad condition.

If you are involved in a lawsuit, either pending or dismissed, or if you have a judgment against you, please complete a debt form for each party involved in the lawsuit and provide our office with copies of the pleadings.

If you owe, or think you might owe, money to any of the following government agencies or parties, please place an "X" in the box beside them. Please note that one of these agencies may have guaranteed one or more of your loans, and you might be unaware of that fact. If you are unsure, FIND OUT.

\_\_\_\_ HUD  
\_\_\_\_ VA  
\_\_\_\_ SBA  
\_\_\_\_ Federal Land Bank

\_\_\_\_ FHA  
\_\_\_\_ IRS  
\_\_\_\_ State or Local Taxes  
\_\_\_\_ Any other State or Federal Agencies-List:

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\_\_\_\_ Student Loan (Please list government agency and bank on separate debt forms. Complete forms for each student loan if you have more than one.)

Failing to provide complete information may result in a debt being unaffected by your filing, in which case the creditor will be free to try to collect its debt after you receive your discharge.

I (We) have read the foregoing Schedule A Notice to Debtors. I (We) understand that an \$80.00 fee will be assessed and due each time changes are made to my (our) schedules or creditor matrix after the initial filing of my (our) bankruptcy proceeding.

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Debtor

**BORLAND & BORLAND**  
**213 N. MAIN**  
**MIDLAND, TX 79701**

**WARNING**

If you have money on deposit with a Bank, Savings and Loan, Credit Union or other lending institution to whom you owe money on the day the petition is filed with the Bankruptcy Court, or any date after the petition is filed prior to your discharge, the lending institution may offset or freeze the money you have on deposit against the debt. You are advised NOT to have any money on deposit with the lending institution on the date of the filing or during your chapter 7/13.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Debtor

\_\_\_\_\_  
Debtor

**WARNING**  
**11 U.S.C § 366**  
**Utility Service**

(a) A utility may not alter, refuse, or discontinue service, to, or discriminate against, the trustee or the debtor solely on the basis of the commencement of a case under this tile or that a debt owed by the debtor to such utility for service rendered before the order for relief was no paid when due except as provided in subsections (b) and (c):

(b) Such utility may alter, refuse, or discontinue service if neither the trustee nor the debtor within 20 days after the date of the order for relief, furnishes adequate assurance of payment, in the form of a deposit or other security, for service after such date.

This provision basically means that once you file for bankruptcy we have to notify all your utility companies within 20 days of filing of the bankruptcy. The utility company has the right to request an "assurance of payment" which means - a cash deposit, a letter of credit, certificate of deposit, surety bond, prepayment of utility consumption or another form of security that is mutually agreed on between the utility and the debtor or the trustee. The court will probably award this request if the account has not been current and we would expect the court to require a two (2) month average usage to be paid to the utility company. Even though we have not listed these companies as creditors we will need a list of all your utility companies along with the addresses and account numbers so that we can mail them a notice of your bankruptcy once it is filed.

On the attached sheet please provide us with the complete information for your utility companies. Sign and date in the space provided below indicating that you have read and understand the above statement.

\_\_\_\_\_  
Signature of debtor

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Joint debtor

\_\_\_\_\_  
Date

Utility Information Notice to be furnished within 20 days of filing bankruptcy

Name of Company: \_\_\_\_\_  
Account No.: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Name of Company: \_\_\_\_\_  
Account No.: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Name of Company: \_\_\_\_\_  
Account No.: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Name of Company: \_\_\_\_\_  
Account No.: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

Name of Company: \_\_\_\_\_  
Account No.: \_\_\_\_\_  
Address: \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_

## **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. A Certificate of Completion will need to be filed with the bankruptcy court at the time your bankruptcy case is filed. A copy of the form has been attached to this notice. Also attached is a list of the approved credit counseling agencies in the Western District of Texas which you may contact to complete the course. Please be aware that if you are filing a joint bankruptcy both debtors will need to have a Certificate of Completion. The attendance of both debtors will be required.

### **TXW**

#### **Western District of Texas**

Consumer Credit Counseling Service of Greater Atlanta Inc.  
100 Edgewood Avenue  
Suite 1800  
Atlanta, GA 30303  
800-251-2227  
[www.cccsinc.org](http://www.cccsinc.org)  
In Person (not available in all judicial districts), Telephonic and Internet

Consumer Credit Counseling Service of Greater San Antonio  
6851 Citizens Parkway  
Suite 100  
San Antonio, TX 78229  
210-979-4300  
[www.cccssa.org](http://www.cccssa.org)  
In Person

Consumer Credit Counseling Service of the YWCA Paso Del Norte  
1600 Brown  
El Paso, Texas 79902  
888-533-7502  
In Person and Telephonic

Credit Counseling Centers of America

9330 LBJ Freeway  
Suite 900  
Dallas, TX  
75379-8039  
800-493-2222  
www.cccamerica.org  
In Person (not available in all judicial districts), Telephonic and  
Internet

GreenPath, Inc.  
38505 Country Club Drive, Suite 210  
Farmington Hills, MI 48331-3429  
800-630-6718  
www.greenpathbk.com  
In Person (not available in all judicial districts), and Telephonic

Institute for Financial Literacy, Inc.  
449 Forest Avenue  
Suite 12  
Portland, ME 04101  
207-879-0389  
www.financiallit.org  
Telephonic & Internet

Money Management International Inc.  
9009 West Loop South  
7th Floor  
Houston, TX 77096-1719  
877-918-2227  
www.moneymanagement.org  
In Person (not available in all judicial districts), Telephonic and  
Internet

Springboard Nonprofit Consumer Credit Management Inc.  
4351 Latham Street  
Riverside, CA 92501  
800-947-3752  
www.credit.org  
In Person (not available in all judicial districts), Telephonic and  
Internet

**THIS IS YOUR COPY FOR YOUR INFORMATION ONLY.**

Please read over this Notice to Individual Consumer Debtor should you have any questions please contact my office to set up a telephone conference to address your questions. Should you elect to file for bankruptcy this is an Official form which will be filed with your case.