
Bankruptcy Community Legal Education Class

Attendee Manual

Legal Aid Center of Southern Nevada
William S. Boyd School of Law
(Student Volunteers)

COMMUNITY LEGAL EDUCATION CLASSES

We are happy you have chosen to attend this legal education class and hope you will gain valuable information.

- ❖ This class is provided as a community service by the University of Nevada, Las Vegas, William S. Boyd School of Law and Legal Aid Center of Southern Nevada. The purpose of the class is to provide legal information to the public about court procedures and rules, relevant federal and Nevada law, and tips on how to present a case in court.
- ❖ This class is taught by law students. Law students are not attorneys and cannot offer legal advice. An attorney from Boyd School of Law or Legal Aid Center will be present during the class to supervise and assist the law students.
- ❖ Forms are provided to assist you in representing yourself in court. However, the Court may make changes to the forms after the printing of this manual, and any dollar figures in the forms or in this manual may change. A judge is not required to grant any of the relief requested in a form or discussed in this class. The disposition (result) in any case will be determined by the judge, based on the law and facts peculiar to that case.
- ❖ ***This class cannot take the place of a private attorney.*** It is highly recommended that you consult with a competent attorney concerning the facts of your case, preferably **BEFORE YOU FILE ANY COURT DOCUMENTS.**
- ❖ This class is open to all members of the public. It is possible that both sides to a dispute may attend this class on different days. You should not disclose any confidential personal information to the law students or the supervising attorney during class. Any confidential personal information you disclose in class is not privileged and could be discovered by another party in litigation.
- ❖ This class is the first step toward applying for a pro bono (free) attorney through Legal Aid Center. You may obtain an intake package at the end of class, which explains the application procedure. You must meet income guidelines to be considered for placement with a pro bono attorney, and you are not guaranteed placement.

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| <p>NOTE TO PARTICIPANTS: This class is presented as a cooperative effort by William S. Boyd School of Law and Legal Aid Center of Southern Nevada. The class will not provide legal advice specific to any case. Your attendance at and participation in the class is not an agreement or offer for legal representation. The class is provided as a courtesy community outreach.</p> |
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GLOSSARY OF RELATED TERMS

Automatic Stay: An injunction that goes into effect automatically when a debtor files for bankruptcy. The automatic stay prohibits most creditor collection activities, such as foreclosure, garnishments, filing or continuing lawsuits, making written requests for payment, or notifying credit reporting agencies of an unpaid debt.

Bankruptcy Discharge: The release of the debtor from personal liability for certain types of debts after debtor's completion of the bankruptcy; it is a permanent order prohibiting creditors from trying to collect discharged debts.

Community Property: Nevada is a community property state. The law presumes that all assets acquired and debts incurred during the marriage is community property, except property received by one party as a result of a gift, devise, bequest or personal injury settlement or judgment. Generally speaking, property acquired or debt incurred before marriage is separate property.

Consumer: One that buys goods or services for direct use or ownership.

Creditor: The person or organization to which the debtor owes money.

Debt: Money owed to creditors.

Debtor: A person who is in debt or under financial obligation to a creditor. A person who files a Chapter 7 or Chapter 13 bankruptcy is referred to as the debtor.

Dischargeable Debt: Debts a debtor does not have to pay if his or her bankruptcy case is discharged.

Disposition: The result of a case or pending issue.

Equity: The money value of property beyond any amounts owed. (Ex: the purchase price of a car minus the amount owed on the car).

Exemption: Certain types and amounts of property protected by law from creditors; the court cannot take exempt property from the debtor to help pay his or her creditors.

Foreclosure: When a homeowner fails to make payments on his or her home, the mortgage company can take the home away and force a sale of the house.

Homestead: Exemption that Nevada law provides so that the debtor's house cannot be sold to pay off his or her debts (does not protect against mortgage company).

Judgment Proof: When a debtor cannot afford to pay his or her creditors and has no assets or income that the creditor can take from him or her (aka Collection Proof).

Mortgage Arrears: Unpaid mortgage payments.

Non-dischargeable Debt: Debts that a debtor will still have to pay even if he or she is awarded a Bankruptcy Discharge by the Court.

Secured Debt: When a creditor has a lien on an item and the debtor hasn't paid in full, the creditor can take back the item, *i.e.*, refrigerator, car or house (the "collateral").

Trustee: An officer appointed by the court who oversees a debtor's bankruptcy case and prioritizes payments to the creditors, if any.

Unsecured (Nonpriority) Debt: Debt that is not attached to any specific item that will usually be erased if a debtor is granted a bankruptcy discharge (e.g., credit cards, medical bills, payday loans).

Unsecured (Priority) Debt: Debt that is not attached to any specific item but the creditor still has to be paid (e.g., taxes, child support).

Wage Garnishment: When the court holds a debtor's earnings in order to pay his or her debts (*i.e.*, owed child support).

INTRODUCTION

The purpose of this manual is to provide you with a general understanding of consumer bankruptcy – specifically Chapter 7 and Chapter 13. These materials should not be relied on as legal authority or substitute as advice of an attorney.

Because the decision to file for protection under the laws of bankruptcy can be complicated, all class attendees are urged to seek competent legal advice from a licensed attorney. It is important that each debtor understand why one chapter may be more appropriate than the other. Further, a licensed attorney can explain the pros and cons of filing bankruptcy, detailing the benefits and risks of filing for such protection.

Bankruptcy is not a right but rather is a privilege granted to the "honest but unfortunate debtor." Bankruptcy is administered in the United States Bankruptcy Court ("Bankruptcy Court") according to Federal law. The Bankruptcy Code provides the statutory basis for the bankruptcy process. The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("BAPCPA") was enacted on April 20, 2005, which amended the Bankruptcy Code. There also are federal and local Bankruptcy Rules that govern procedural aspects of the bankruptcy process.

The purpose of bankruptcy law is to help people out of financial trouble and relieve financial stress. It allows a debtor acting in good faith to adjust or discharge debts that he or she can no longer pay or could never hope to pay. It provides the debtor a “fresh start” without the burden and pressure of pre-existing debt while being fair to creditors at the same time. A debt that has been discharged under bankruptcy is permanently erased. The creditor cannot collect on the debt.

BANKRUPTCY ALTERNATIVES

Bankruptcy may not always be the right solution to financial problems. Debtors should examine whether the following alternatives might effectively address their immediate financial difficulties.

Creditor Filed a Lawsuit? Creditors may threaten to sue, but don’t always proceed. If a lawsuit is filed and the debtor (defendant) does not answer the Complaint, the court may grant the creditor what it requested by default. By participating in the lawsuit, the consumer can challenge the debt and be heard in court. If the creditor wins, the Court will award the creditor a judgment for the amount of the debt. A creditor can collect the judgment by garnishing wages or attaching an asset or bank account. The Self-Help Center at the Regional Justice Center, 200 South Lewis Avenue in Las Vegas, has court forms if you need to answer a complaint.

Can the Consumer Negotiate New Terms? The consumer can try to negotiate with the creditor seeking new terms of the debt (for example, lower interest, a repayment plan, etc.).

Can Consumer Credit Counseling Help? Money Management International (formerly Financial Guidance Center) is a nonprofit organization that provides housing counseling and financial management assistance to struggling individuals. Its staff can design a debt management program to assist consumers in paying off debt, or simply help realign a consumer’s budget. Money Management International is located at 2650 South Jones Blvd., and can be reached at 364-0344. However, beware of for-profit debt consolidation services.

Does the Consumer Qualify for a Loan Modification? Homeowners who are falling behind on mortgage payments should contact the mortgage company to discuss possible loan modifications **before** the foreclosure process begins. The consumer does not have to pay up-front costs or fees for loan modification assistance. BUT, BEWARE: Foreclosure mortgage scam companies prey on homeowners, charging thousands of dollars for services you could perform yourself or obtain for free. Money Management International assists homeowners in negotiating loan modifications. Also, the Nevada Hardest Hit Fund has several programs that provide assistance to homeowners at high risk of default or foreclosure; you can call them at 1-888-320-6526. The Home Again Nevada Homeowner Relief Program is a free public service of the Nevada Attorney General’s Office that seeks to educate residents on housing resources available to them, and has a hotline, 1-855-457-4638. Homeowners who have received Notice of Breach and Election to Sell (also called a Notice of Default) can file a petition with the State District Court to participate in the State of

Nevada Foreclosure Mediation Program. There is a \$25.00 filing fee for the petition and homeowner must pay \$250.00 for the mediator's fee.

Can the Consumer Qualify for Student Loan Forgiveness? In certain situations, you may be able to obtain permanent relief (forgiveness, cancellation or discharge) from student loan payments through one of the Department of Education's programs. For example, if you are disabled, you might be able to qualify for a Total and Permanent Disability Discharge. See <https://studentaid.ed.gov/sa/repay-loans/forgiveness-cancellation> for more information.

Is the Consumer Willing to Keep Bad credit? Keeping bad credit is a common alternative to bankruptcy. Unless wages are being garnished or property is in danger of being foreclosed upon or repossessed, many people choose to live with bad credit. This may work as long as the person does not anticipate future credit needs, as the debt will drop off the consumer's credit record within 7-10 years. Avoid "credit repair" promises. You can have errors removed from your credit report; but there is no "magic wand" that will remove legitimate negative information.

Is the Consumer Collection Proof? Being judgment proof or more accurately, collection proof, means that even if a creditor successfully obtains a judgment against you, you have no income or assets that the creditor can legally take (for instance, if the only source of income is "exempt" such as social security, unemployment, welfare, worker's compensation, etc.). Legal Aid Center offers a separate Collection Proof class you may attend.

Does the FDCPA apply? The Fair Debt Collection Practices Act (FDCPA) is a federal law that requires debt collectors to treat you fairly and prohibits certain methods of debt collection. A debt collector is anyone who regularly collects debts owed to others. A debt collector includes a third party attempting to collect a debt for an original creditor, a person or entity that has purchased a debt, and attorneys who collect debts on a regular basis. The FDCPA prevents a debt collector from contacting you between the hours of 9:00 PM and 8:00 AM; contacting you, your family members, friends, or employer regarding a debt after you have requested in writing that it refrain from doing so, and using false, abusive, or unfair statements and practices in the collection of a debt. In addition, the FDCPA requires a debt collector to validate the existence of a debt by sending you proof that the debt is yours, if you request proof of the debt within the first thirty (30) days after the debt collector sends its first written communication. If a debt collector violates the FDCPA, keep records of the contact because you may be able to file a case in federal court and obtain sanctions of \$1,000 per violation. If you believe a debt collector has violated the FDCPA, please contact Legal Aid Center of Southern Nevada.

ATTORNEY OR *PRO SE* BANKRUPTCY FILING

As you participate in this class, try to evaluate your own situation to determine what kind of assistance you will need if you decide to file for bankruptcy. To file bankruptcy, you can either hire an attorney or file on your own behalf, also known as *pro per* or *pro se* filing (to represent

yourself). This class does not provide a comprehensive overview of the complex area of bankruptcy; rather it covers *basic* consumer bankruptcy law.

ATTORNEY. Although many consumer bankruptcy filings are relatively simple, they also can become very complex. The decisions that you make leading up to, and during the bankruptcy process, will affect your life for years to come. As a result, the services of a competent bankruptcy attorney may be invaluable in protecting your interests now and in the future. An attorney can provide you legal advice relevant to your situation, prepare your bankruptcy petition, and represent you in bankruptcy court. If you decide to hire an attorney, make sure you read the engagement letter and understand what services are covered for the fee the attorney charges. Attorneys have educational requirements and are licensed and regulated by the State Bar of Nevada. One source of referrals to bankruptcy attorneys is the State Bar of Nevada's Lawyer Information Referral Service, listed in the Community Resources section of this manual.

Also, if you are income-eligible, you may apply for a pro bono attorney through the Legal Aid Center of Southern Nevada after attending the Community Legal Education Class. The application procedure is explained in class.

PRO SE FILING AND DOCUMENT SERVICES. Some debtors file their bankruptcy petitions on their own, or *pro se*. Such debtors do not have to pay for forms; the bankruptcy forms can be downloaded for FREE via the United States Bankruptcy Court's website at: <https://www.nvb.uscourts.gov/rules-forms/>. Further, data enabled forms are available at: <https://www.uscourts.gov/forms/bankruptcy-forms>.

Some of these debtors turn to non-attorney document preparation services, which advertise the ability to prepare the bankruptcy forms for a fee. These businesses, which usually call themselves document preparation services, paralegal services, or bankruptcy petition preparers, are not licensed or regulated by the State Bar of Nevada. As a result, no established standards of conduct or competency are imposed upon the individual providing such services. In an effort to protect the public, the Nevada Legislature passed a bill regulating document preparation services, effective March 1, 2014, which requires document preparers to register with the Nevada Secretary of State, and comply with other requirements, including posting a bond. However, this law does not permit document preparers to practice law and does not establish any educational requirements. More detail regarding the law is provided in the next section.

Further, the individual preparing your documents cannot and will not appear with you in the Bankruptcy Court; therefore even if you use a document preparation service, you will be considered to be proceeding *pro se*. Bankruptcy petition preparers are only allowed to fill out your bankruptcy forms for you. They cannot give you legal advice, including whether to file a petition, whether to file under Chapter 7 or 13, and whether you will be able to retain your house or car. They must identify themselves as the petition preparer on your bankruptcy petition and provide you with written notice that includes disclosures that they are not attorneys and cannot give you legal advice. Petition preparers generally should charge you no more than \$200, all inclusive. Petition preparers cannot collect from the debtor any payment for the court filing fees; you will need to pay those fees directly to the court when you file your petition.

It is important that *pro se* debtors educate themselves about bankruptcy prior to filing a bankruptcy petition. Attending this class and reading this manual are good first steps. In addition to having bankruptcy forms, the Bankruptcy Court's website has a lot of useful information, including a page specifically entitled "Filing Without an Attorney (Pro Se)" under the "Debtors" tab. Legal Aid Center's website, www.lacsn.org, also contains information regarding bankruptcy, including links to other useful websites.

READ BEFORE YOU SIGN! Be aware that the United States Bankruptcy Code requires that you sign the bankruptcy forms under a penalty of perjury -- requiring total truth and accuracy. **You and only you are responsible for the information provided in the forms whether or not you prepared the forms.** Whether you hire an attorney, prepare the forms yourself, or use a document preparation service, we urge you to read the forms closely and scrutinize the listed data for accuracy before you sign and file.

DOCUMENT PREPARATION SERVICES

WHAT IS A DOCUMENT PREPARATION SERVICE? The document preparation service is a person who, for compensation and at the direction of a client, provides assistance to the client in a legal matter, including:

- Preparing or completing any pleading, application or other document for the client,
- Translating the client's answer to a question posed in such a document,
- Securing any supporting document, such as a birth certificate, required in connection with the legal matter,
- Submitting a completed document on behalf of the client to a court or administrative agency.

Document preparation services include preparing documents for any will or trust; any proceeding, filing or action affecting the immigration or citizenship status of a person; or any proceeding filing or action otherwise affecting the legal rights, duties, obligations or liabilities of a person. (NRS 240A.040)

WHAT CONSUMERS CAN EXPECT. This law provides customers or clients that utilize preparation services with some protections.

- Evidence that a document preparation service is registered with the State of Nevada,
- Public posted notices including Certificate of Registration, business licenses and disclosure notices,
- Disclosure of specific information such as that the person serving as a document preparation service is not an attorney prior to the customer contracting or making a payment for service,
- A written contract in English and if different, the language in which the document preparation services transacts the business with the client for the services to be provided,

- Explanation of the fees to be charged for services and a receipt for payment,
- A complaint process for violations,
- Restitution if the client suffers a pecuniary loss as result of a violation,
- Award of damages against the bond by a court,
- A private right of action,
- A public search function will be available on the Secretary of State's website, www.nvsos.gov, to verify that a document preparation service is registered with the state.

REMEMBER: *Before doing business with this type of business please do the following: Check their registration and disclosures. Make sure their fees are disclosed and they provide you with a written contract. Always read before you sign.*

ADDRESSING GRIEVANCES. The Secretary of State's office has a toll-free telephone number for any person to make a complaint about a registrant or an alleged violation. Anyone who believes a document preparer has committed a violation is encouraged to

call (800) 450-8594, option 6 or visit the Secretary of State's website at www.nvsos.gov.

BANKRUPTCY MYTHS

Because bankruptcy is complex, there are many myths surrounding bankruptcy. These are some common ones:

“I don’t have to file bankruptcy against all of my creditors.” This is false. The debtor is required, under penalty of perjury, to list all of the companies and persons to which the debtor owes money. This includes mortgage lenders, car loan lenders, credit cards, and friends and family to whom the debtor owes money, just to name a few.

“I don’t have to list all of my property.” This is false. It is criminal to intentionally not list assets, including assets received as a gift.

“They can’t take my home.” This is false. Except for the temporary automatic stay, bankruptcy does not protect a home against the mortgage company, HOA, or the IRS if you are not making payments to these creditors. The Bankruptcy Code provides some protection for a home from other creditors under the homestead exemption, discussed in more detail later.

“They can’t take my car.” This is false. Similar to a home, bankruptcy does not protect a car against the auto finance company, title loan company, or the IRS if you are not making payment to these creditors. The Bankruptcy Code allows some protection for a car against other creditors through the applicable exemption, discussed in more detail later.

EFFECTS OF FILING BANKRUPTCY

AUTOMATIC STAY. The moment a person files a bankruptcy petition, a stay automatically is imposed on the debtor and the debtor's assets. The automatic stay prevents creditors from taking any action to try to collect debts owed by the debtor. Listed creditors will receive notice from the court of the bankruptcy filing. The automatic stay will:

1. Stop bill collectors from calling.
2. Stop wages from being garnished.
3. Temporarily stop foreclosures and possibly delay evictions.

The automatic stay lasts until the debtor obtains discharge of debts (or the case is dismissed). If a creditor wants to take any action against a debtor while the bankruptcy case is pending, the creditor must first file a motion with the Bankruptcy Court and obtain a judge's order to lift the stay. There are some exceptions to the automatic stay (meaning that the actions can go forward), including prosecution of criminal offenses; actions to establish paternity or regarding domestic support obligations, custody or visitation, dissolution of the marriage, or domestic violence; a residential eviction where the eviction order was obtained before the bankruptcy; and set-off from an income tax refund of taxes owed for a year before the bankruptcy filing.

DISCHARGE OF DEBTS. Assuming the debtor completes the required steps in the bankruptcy, the Bankruptcy Court will issue a court order called the Discharge of Debtor at the end of the bankruptcy case. This means that the debtor is "discharged" (relieved from paying all or some of the debt). The debtor no longer owes the dischargeable debts.

NON-DISCHARGE OF DEBTS. However, there are some debts that cannot be discharged through bankruptcy. Some non-dischargeable debts include:

1. Spousal support/alimony, child support, or debts resulting from these types of obligations (for example, attorney fees). These debts are referred to as Domestic Support Obligations.
2. Student loans, unless the court determines that repayment causes severe hardship; *such finding is rare*. (To seek discharge of student loans, the debtor must file an adversary complaint in Bankruptcy Court.)
3. Court ordered restitution owed to the court or victims.
4. Fees imposed by a governmental agency for fines and penalties.
5. Most IRS tax debts and most other taxes.
6. Court judgments for injuries or death to someone from a DUI.
7. Debts not listed on the debtor's schedules.

In addition, if a creditor or the Trustee objects to the discharge of any one of the following types of debt, a bankruptcy judge may decide that these debts are non-dischargeable as well:

1. Debts incurred by fraud or willful and malicious injury.
2. Debts resulting from larceny or embezzlement.
3. Debts resulting from credit card charges incurred within 90 days of filing.
4. Debts resulting from credit card cash advances taken within 70 days of filing.

For example, the Court will not discharge a debt if a creditor or the Trustee can prove that the debtor committed fraud when the debtor applied for credit (as in when the debtor lied about income on a credit application) or if the debtor incurred the debt for non-necessary things while broke.

If there are no complications with the bankruptcy case (no unusual debts, no questions regarding fraud, etc.) and the debtor has met of the all requirements, the debtor will receive the Bankruptcy Discharge of Debtor Order.

APPOINTMENT OF TRUSTEE. The Court administration of bankruptcy cases is overseen by a person called a “bankruptcy trustee”, who is appointed by the United States Trustee Program of the Department of Justice. A Trustee is assigned by the Bankruptcy Court in each and every Chapter 7 and Chapter 13 bankruptcy case that is filed. The Trustee’s primary role includes reviewing the debtor’s bankruptcy documents, assessing the debtor’s financial affairs, determining whether the reorganization of debts or liquidation of assets will benefit the creditors, and paying creditors if funds are available. The Trustee is mostly interested in what the debtor owns, owes, and claims as exempt property.

DOCUMENTS TO BE PROVIDED TO TRUSTEE. Upon the filing of a bankruptcy case, the Trustee will send the debtor a “Trustee’s Questionnaire” and request certain documents to be provided by a certain date, usually 7 to 14 days before the Meeting of Creditors (discussed below), depending on the Trustee. Also, most trustees have a website that includes information regarding the documents required to be provided.

TAX RETURNS. The Trustee will request the debtor’s most recent tax returns (usually for the last 2 to 4 years). The tax returns should be produced by the deadline set by the Trustee prior to your 341 Meeting of the Creditors. The failure to submit the most recent tax return shall result in dismissal of the case and denial of the discharge. If you do not have copies of your return, you can request your tax transcript from the IRS. See the IRS’s website, www.irs.gov, for information.

PROOF OF INCOME AND EXPENSE HISTORY. The Trustee will require the debtor to provide proof of up to 6 months of income and expense history, including paystubs and bank statements. Note that the debtor’s financial situation will be public record, including information about the debtor’s employment, everything the debtor owns and everyone the debtor owes. Trustees may also ask for bank statements, mortgage statements, etc.

MEETING OF CREDITORS, ALSO KNOWN AS THE 341 MEETING. As part of the bankruptcy process, you will be required to attend what is called the “Meeting of Creditors” or the “341 Meeting” (nicknamed after Section 341 of the Bankruptcy Code) conducted by the Trustee. The 341 Meeting provides the bankruptcy Trustee and the debtor’s creditors an opportunity to question the debtor, but creditors rarely attend in the average consumer bankruptcy. The Trustee will inquire about the debtor’s assets, debts and other financial affairs as shown in the bankruptcy documents. The 341 Meeting occurs approximately 30 to 40 days from the date of filing. The debtor will be required to answer all questions under oath. An audio recording of the 341 Meeting is made; a copy can be requested from the U.S. Trustee’s office.

PREFERENCES AND FRAUDULENT TRANSFERS

As the Trustee reviews your financial documents, the Trustee will be looking for any preference payments or fraudulent transfers you may have made before filing bankruptcy. If the Trustee finds proof of these kinds of transactions, the Trustee can seek to reverse the transactions. Therefore, it is important to understand these concepts to avoid making costly mistakes before filing for bankruptcy.

PREFERENCE PAYMENTS. A preference payment refers to a payment totaling \$600 or more made to any one creditor within 90 days before filing bankruptcy. In essence, the payment showed you “preferred” to pay one creditor instead of others (generally, your regular mortgage or car payments are not considered preferential). If the creditor received more than it would have received through the liquidation of your bankruptcy case, the Trustee can avoid (reverse) the transaction, get the money back, and evenly distribute it among all of your creditors. If the payment was made on a debt owed to an “insider” (a friend or family member) within one year of the bankruptcy filing, the Trustee can reverse the transaction. The Trustee often will seek the return of preference payments by a letter to the creditor; if the matter is not resolved, the Trustee must file a complaint in the Bankruptcy Court.

FRAUDULENT TRANSFERS. A fraudulent transfer occurs when a debtor gives away or sells property in a manner that unfairly places the property beyond the reach of creditors, within a certain time before filing for bankruptcy. There are two types of fraudulent transfers: (1) actual fraud, where the debtor makes the transfer with the intent to hinder, delay, or defraud creditors, and (2) constructive fraud, which is when the debtor transfers any asset for “less than equivalent value” while the debtor is insolvent, even where there is no intent to defraud creditors. Examples of constructive fraud could be selling an asset for less than it was worth or transferring an asset such as a house or car to a family member. The Trustee will ask about any transfers of property made within two years before the bankruptcy filing. If the Trustee believes any of the transfers were fraudulent transfers, the Trustee can file a suit to reverse the transaction. Transfers of property by the debtor to a trust for which the debtor is a primary beneficiary within 10 years of the bankruptcy filing may also be set aside.

CHAPTER 7 - LIQUIDATION OF ASSETS

A Chapter 7 bankruptcy is often referred to as the “liquidation” bankruptcy. This type of bankruptcy cancels most ordinary consumer debts. But in exchange, the debtor may have to surrender some property. The Trustee may collect and sell any non-exempt money and assets. Proceeds of an asset sale are then distributed to pay the debtor’s creditors.

The process usually takes 4-6 months, costs \$338 in court fees to file and usually only requires one trip to the courthouse for the Meeting of Creditors. A Chapter 7 will not eliminate child

support, most taxes or student loans, and it does not provide for payment on arrears to save a house, car or other secured asset.

| PROS to Chapter 7 | CONS to Chapter 7 |
|---|---|
| Short; takes 4 - 6 months to complete. | May lose property that is not exempt. |
| Often requires only one post-filing trip to Court (for 341 meeting). | Can't pay arrears to save a house, car, etc. |
| If below Nevada median income, easier <i>pro se</i> filing especially compared to Chapter 13. | Cannot obtain another Chapter 7 discharge for 8 years from date of filing Petition. |

CHAPTER 13 - DEBT REORGANIZATION

A Chapter 13 bankruptcy is a debt “reorganization” that allows the debtor to either partially or fully repay debts through a repayment plan. Chapter 13 allows you to keep some or all of your property. In exchange, you must pay the Trustee all of your monthly disposable income for 3-5 years, and the Trustee in turn pays the creditors. A Chapter 13 plan is most popular for homeowners who need to pay mortgage arrears to save their house from foreclosure.

The total of payments over the 3-5 years must be enough to pay at least the full amount of arrears on all Domestic Support Obligations, mortgage arrears, non-dischargeable taxes, payments for retained secured items, and a trustee fee. Attorney fees are often paid through the Chapter 13 plan as well, in which case you can file Chapter 13 with only a down payment made to an attorney. Upon successful completion of a Chapter 13, your remaining dischargeable debts are eliminated.

A Chapter 13 debtor will have to propose a repayment plan that must be approved by the court. The required repayment plan reflects how much the creditors will be paid and for how long (3 years if income is less than Nevada’s median income and 5 years if income exceeds the median income). The debtor makes the monthly payment to the Trustee directly. The Trustee then distributes payment to the various creditors listed in the repayment plan. The Trustee can seek the dismissal of the Chapter 13 if the debtor fails to cooperate or make the required payments.

“Conduit payments” through the Chapter 13 trustee are now required where the debtor is delinquent on certain secured debts. Specifically, for cases and plans filed on or after October 1, 2013, if there is a pre-petition arrearage on a claim secured by real property or a vehicle of the debtor, or if the debtor becomes more than one month delinquent on any post-petition installment payments to such a creditor, then all post-petition installment payments to the creditor shall be made through the Chapter 13 trustee as conduit payment, unless debtor can show good cause to be excused from mandatory conduit payments.

Effective January 1, 2015, the Nevada Bankruptcy Court adopted a Mortgage Modification Mediation (“MMM”) Program for Chapter 13. A debtor or lender may seek referral to the MMM Program. The MMM Program Procedures and Forms are available on the Court’s website.

The court filing fee is \$313 and a Chapter 13 may require multiple visits to the Court.

| PROS to Chapter 13 | CONS to Chapter 13 |
|--|---|
| Get to keep most or all of property. | More complex so will need attorney assistance. |
| Payoff back taxes, support obligations, and reduce or negotiate lower interest rates on other debts | Need to have enough income to pay arrears in full by the end of 3-5 years. |
| Prevent foreclosure – pay mortgage arrearages in payment plan (and also must keep monthly mortgage payment current while in Chapter 13). Bankruptcy Mortgage Modification Mediation Program. | Debtor is on a strict budget based on IRS standard of living expenses for 3 to 5 years. About 66% of people fail to complete the plan. |
| Pay off debt and obtain a fresh start at end of 3 to 5 years. | If fail to pay Trustee, case will be dismissed losing discharge and advantages. |

CHAPTER 7 V. CHAPTER 13

Before enactment of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA), people were able to choose which bankruptcy chapter best suited their needs. To dissuade bankruptcy abuse, BAPCPA requires every debtor to list their income in a Means Test that helps determine if the person should file a 7 or a 13. The Means Test forces some higher income earners to file Chapter 13.

If your annual income is below the median income for your state, you only need to list your income on the Chapter 7 Statement of Your Monthly Income and you may usually choose to file either Chapter 7 or Chapter 13. The current Nevada annual median income (for cases filed on or after November 1, 2023) is:

| Family of 1 | Family of 2 | Family of 3 | Family of 4 |
|--------------------|--------------------|--------------------|--------------------|
| \$61,865 | \$77,817 | \$85,474 | \$95,872 |

An additional \$9,000 is allotted for each additional dependent. A chart reflecting the median income for each of the 50 states is available at: www.justice.gov/ust/means-testing

If your annual income is above the median, you must complete the Chapter 7 Means Test Calculation form to qualify for a Chapter 7. The Means Test begins with your monthly income, and deducts certain allowed expenses to come up with a monthly “disposable income” presumed to be available to pay creditors. If your monthly income exceeds your monthly expenses by a certain amount (which varies in relation to the amount of unsecured debt), then you presumably have enough disposable income to pay creditors and must file Chapter 13. *Above median debtors are strongly encouraged to retain an attorney for assistance, as the Means Test is complicated.*

There are also limits to who is eligible to file a Chapter 13. A Chapter 13 debtor cannot have more than \$2,750,000 in debt.

If you have debts exceeding this amounts, you may have to file bankruptcy under a different chapter.

Although there are no “typical” Chapter 7 and Chapter 13 debtors, there are some reasons a person might choose to file one chapter or the other:

| Chapter 7 Debtors | Chapter 13 Debtors |
|--|--|
| <ul style="list-style-type: none">• Low income earners• A large amount of dischargeable debt• Very few, if any, nonexempt assets• Current on mortgage payments OR intends to surrender a home• Current on car payments OR intends to surrender a car | <ul style="list-style-type: none">• High income earners who cannot pass the Means Test• Regular income earners with enough disposable income to pay regular monthly expenses PLUS pay the trustee enough to partially or fully repay debts• Homeowners who are in arrears and need time to catch up/want to mediate• Homeowners who are eligible to eliminate a second mortgage• Debtors who have exempt assets that they would like to keep |

GATHERING DOCUMENTS

Filing bankruptcy requires a debtor to disclose all of his or her financial dealings to the court. Therefore, it is best to gather the following documents before filing for bankruptcy so that you or your attorney can analyze your complete financial picture:

1. Proof of income for the past six months
2. Financial (bank and credit card) statements for the past six months
3. Tax returns for the last two to four years
4. Copies of any pending complaints and legal judgments against you (including divorce decrees)
5. Credit reports. Consumers are entitled to one free credit report from each of the three credit reporting agencies every week. The three nationwide consumer reporting agencies (Equifax, Experian, and Transunion) have set up one central website, toll-free telephone number, and mailing address through which free annual reports can be obtained. You can go to www.annualcreditreport.com or call 1-877-322-8228 to request a free credit report from any or all of the credit reporting agencies. You can also mail a credit report request

form to: Annual Credit Report Request Service, P.O. Box 105281, Atlanta, Georgia 30348.

6. The credit request form can be printed at <https://www.consumer.ftc.gov/files/articles/pdf/pdf-0093-annual-report-request-form.pdf>. Beware of other offers of “free” credit reports; those companies often sign you up for services such as credit monitoring, for which you will be charged.

IDENTIFY PROPERTY AND EXEMPTIONS

Every debtor is required, under penalty of perjury, to list all property that the debtor has a right to in the bankruptcy schedules. All real property (houses and land) and all personal property must be listed in Schedule A/B. Personal property includes obvious items, such as a car or cash, and not so obvious items, such as expected tax refunds, rights as a beneficiary in someone else’s life insurance policy or trust, and claims for damages you may have against other individuals or companies.

If you are married but filing alone, all community property from the marriage should be listed. The only property that should not be included in the bankruptcy estate is your spouse’s separate property (assets owned prior to the marriage or inherited during the marriage, but not commingled with community property).

Within 180 days of filing bankruptcy, any asset or proceeds gained pursuant to inheritance, life insurance, or divorce decree settlement, is considered an asset of the bankruptcy estate and must be listed and disclosed to the trustee.

EXEMPTIONS. The U.S. Bankruptcy Code and Nevada law “exempts” certain assets from collection, thereby allowing the debtor to keep the property even when filing for bankruptcy. These exemptions promote one of the primary goals of bankruptcy law, a “fresh start” for the debtor.

Below are examples of property that may be exempt from the bankruptcy estate. All of these exemptions, except for the homestead, can be doubled for married couples filing jointly. ***Please note that the Nevada exemptions are only available to persons residing in Nevada for 2 years or more.*** If the debtor has not resided in Nevada for 2 years, competent legal advice from a licensed attorney is necessary to determine what exemptions are available.

Nevada Revised Statute 21.090 contains a list of Nevada exemptions (the statute is reprinted in the forms section). The most popular exemptions are:

1. One car with equity up to \$15,000 (not exempt from car finance company).
2. Necessary household goods, furnishings, electronics, wearing apparel, other personal effects and yard equipment up to \$12,000.
3. Private libraries, works of art, jewelry, musical instruments up to \$5,000.
4. Life insurance.

5. Pensions, IRA, 401(K) plans, etc. up to \$1,000,000.
6. Homestead equity in debtor's primary residence up to \$605,000. [If you owned your home for LESS THAN 1,215 days (approximately 3 years and 4 months) before filing the Petition, you may only exempt \$189,050.] The property is not exempt from the mortgage company.
7. Equipment, inventory, and tools needed to carry on debtor's business up to \$10,000.
8. Child support and alimony received.
9. Security deposits paid to a landlord.
10. 75% of earned wages (or 82% of earned wages if weekly salary is \$770 or less).
11. Public benefits (for example, welfare or food stamps).
12. Social Security Income the debtor has not spent.
13. Personal injury settlements up to \$16,150.
14. Portion of tax return derived from the earned income tax credit.
15. "Wild card" exemption of \$10,000 (Available to protect any personal property up to \$10,000).

Be aware, there are certain items that generally CANNOT be claimed as exempt (except to extent can apply wild card exemption):

1. Savings, excess cash, bonds or investments not covered under the pension exemption.
2. Federal income tax refunds (except Earned Income Credit).
3. Nonresidential real estate or commercial property, vacation homes, or rental homes.
4. RVs, boats, additional automobiles not covered under primary exemption.
5. Valuable collections (for example, stamps, coins, art) over \$5,000.

Exemptions are claimed by listing them on Schedule C of the bankruptcy petition. If the Trustee or a creditor disagrees with an exemption you claimed, a written Objection will be filed with the Court. The Court will hold a hearing to decide whether to allow the claimed exemption.

If a debtor wants to retain a non-exempt asset, arrangements **MUST** be made with the Trustee to "buy back" the asset and/or seek Court approval to allow the asset to be retained.

IDENTIFY ALL OF YOUR PROPERTY AND POSSIBLE EXEMPTIONS. The chart below may help you get started identifying your property and possible exemptions available to protect that property. List the value of the property in column 1 (Fair Market Value), and any outstanding liens (such as a mortgage or car loan) on the property in column 2 (Secured Claim). Subtract column 2 from column 1 to determine your equity. Column 4 lists a Nevada exemption that might be available to protect that item. This list is not exhaustive; consult with an attorney or check the bankruptcy schedules and exemption statute for a complete listing of property that must be disclosed and potential exemptions.

| Property Description | Fair Market Value | Secured Claim | Equity | Possible Exemption |
|-------------------------|-------------------|---------------|--------|-------------------------------------|
| Real Estate (Residence) | | | | NRS 21.090(1)(l) |
| Cash | | | | NRS 21.090(1)(g) (s) (t) (y) or (z) |
| Checking Accounts | | | | NRS 21.090(1)(g) (s) (t) (y) or (z) |
| Savings Accounts | | | | NRS 21.090(1)(g) (s) (t) (y) or (z) |

| | | | | |
|------------------------------------|--|--|--|------------------------------|
| Retirement / IRA / 401Ks / Pension | | | | NRS 21.090(1)(r) |
| Cars | | | | NRS 21.090(1)(f) |
| Books, Art | | | | NRS 21.090(1)(a) |
| Jewelry (+wedding rings) | | | | NRS 21.090(1)(a) |
| Clothing | | | | NRS 21.090(1)(b) |
| Household Goods / Furniture | | | | NRS 21.090(1)(b) |
| Computers & Electronics | | | | NRS 21.090(1)(b) |
| Guns | | | | NRS 21.090(1)(i) |
| Insurance Policy | | | | NRS 21.090(1)(k) |
| Security Deposits | | | | NRS 21.090(1)(n) |
| Boats, RVs | | | | NRS 21.090(1)(z) |
| Inheritance | | | | NRS 21.090(1)(z) |
| Personal Injury Claim | | | | NRS 21.090(1)(u) |
| Tax Refund | | | | NRS 21.090(1)(z) and/or (aa) |

IDENTIFY CREDITORS AND DEBTS

Every debtor is required, under penalty of perjury, to provide a list of *ALL* creditors, not merely the creditors on debts you wish to discharge. The name, address, account numbers and amount owed must be listed in the Bankruptcy Schedules. If you are unsure of exact amount(s) of debt, you may list as “not yet determined.” Refer to your credit reports for thoroughness and accuracy; also include debts to friends and family that are not on credit reports. The Bankruptcy Court Clerk will send notices advising of the bankruptcy to all of the creditors you have listed on your Creditor Mailing Matrix.

CLASSIFY DEBTS AS SECURED, UNSECURED OR UNSECURED PRIORITY

All debts can be classified as *secured, unsecured, or unsecured priority*. Debt classification is important with respect to determining the need to repay a debt and in what order debts are repaid. This is particularly relevant if a debtor wants to retain a certain asset that has a secured status.

1. Secured Debt. Secured debts are debts attached to an identifiable asset often referred to as “collateral.” The asset can be repossessed by the creditor for nonpayment (for example, a house or car). Less obvious secured debts can include appliances, furniture, electronics or jewelry purchased on credit from a retail store. Whether knowingly or not, the debtor at the time of purchase may have agreed to a purchase money security interest (“PMSI”) granting the store the right to reclaim the item if the credit debt is not paid. A PMSI may be listed in fine print on the back of the receipt. Secured debts must be listed on Schedule D of the bankruptcy petition.

2. Unsecured Priority Debt. Unsecured priority debt is a special bankruptcy category of debt that, while unsecured, is paid ahead of other general unsecured debt for public policy reasons. Generally, these debts are non-dischargeable under bankruptcy law. Some examples of unsecured priority debts include taxes, alimony, and child support. Unsecured priority debts

must be listed in Part 1 of Schedule E/F of the bankruptcy petition.

3. Unsecured Debt. Unsecured debts are debts which are not attached to a specific item. As a result, the purchased item(s) cannot be reclaimed by a creditor. The most common examples of unsecured debt are credit card charges for dinner, gas and travel, medical bills and payday loans. Most unsecured debts are discharged in bankruptcy. However, one common exception pertains to student loans. Although student loans are unsecured debts, they are protected and usually non-dischargeable unless you can prove undue hardship through a separate suit in bankruptcy. Unsecured debts must be listed in Part 2 of Schedule E/F of the bankruptcy court petition.

UNEXPIRED LEASES AND EXECUTORY CONTRACTS. If you are a tenant (or landlord) under an unexpired residential lease, the lease should be listed on Schedule G. Any vehicle leases should be listed there as well. There are rules relating to assuming or rejecting leases, so it is best to consult an attorney to make sure that your intention is properly stated. Also, any uncompleted contracts should be listed on Schedule G; one example is a cell phone contract that has several months remaining.

CO-DEBTORS. If a co-debtor is liable on any debt listed, that must be indicated in the bankruptcy schedules. Co-debtors must be listed on Schedule H. Co-debtors include co-signers as well as a non-filing spouse or a former spouse to whom you were married while living in a community property state within the eight year period before filing your bankruptcy petition. Cosigners include individuals who have cosigned loans for you, as well as any individuals who have used you as a cosigner for their own loans.

The chart below may help you begin to identify the debts you owe, the creditor to whom you owe the debt, and whether there are co-signers for those debts. An “X” is marked to indicate how that particular debt is usually classified. This list is not exhaustive; consult with an attorney or check the bankruptcy schedules for a complete listing of debts that must be disclosed and how the debts should be classified.

| Description of Debt | Total Owed | Creditor | Co-Debtor? | Secured | Unsecured | Unsecured Priority |
|---|------------|----------|------------|---------|-----------|--------------------|
| 1 st Mortgage | | | | X | | |
| 2 nd Mortgage or Equity Line | | | | X | | |
| 1 st Car Loan | | | | X | | |
| 2 nd Car Loan | | | | X | | |
| Most Credit Cards | | | | | X | |
| Store Credit Cards | | | | | X | |
| Payday Loans | | | | | X | |
| Title Loans | | | | X | | |
| Student Loans | | | | | X | |
| Medical Bills | | | | | X | |
| Unpaid Utility Bills | | | | | X | |
| Back Rent | | | | | X | |
| Personal Loans | | | | | X | |
| Court Judgments | | | | | X | |
| Lawyer / | | | | | X | |

| | | | | | | |
|------------------------------|--|--|--|--|--|---|
| Accountant Bills | | | | | | |
| Alimony and/or Child Support | | | | | | X |
| Unpaid Taxes | | | | | | X |
| Other | | | | | | |

OPTIONS FOR SECURED DEBT. In a Chapter 7 bankruptcy, a debtor has to indicate on his or her Statement of Intention what the debtor plans to do with property that is secured by a debt.

This typically arises in regard to mortgages, car loans, and store credit for big-ticket items (furniture, appliances, televisions, etc.). A debtor can select from one of the following choices:

1. **Surrender.** Surrendering the property means that the debtor will voluntarily give the property back to the creditor. This allows the creditor to repossess the item or foreclose on a house. The discharge relieves the debtor of any obligation to make payments on surrendered property.
2. **Retain the property and:**
 - a. **Redeem.** A debtor can redeem an item by paying the creditor the fair market value of the item in full satisfaction of the debt. This option typically arises when a debtor still owes a large debt on an item that is now of little value (for instance, where \$2,000 is owed on a piece of furniture that is only worth \$500 now). The debtor will have to get court permission to redeem the property, and will also have to pay the creditor the redemption amount in one lump sum.
 - b. **Reaffirm.** By reaffirming a debt, the debtor is agreeing to remain personally liable on a debt despite being able to discharge that debt in bankruptcy. The debtor will be allowed to keep the property so long as the debtor keeps making payments on the loan. However, if the debtor reaffirms a debt and later falls behind on payments, the lender will be able to repossess the item and will also be able to sue the debtor for any deficiency balance owed. The lender can garnish wages to collect payment on the debt.

A reaffirmation agreement basically removes that debt from a bankruptcy; it's as if the debtor did not file bankruptcy at all for that particular debt. Reaffirming a debt is a serious matter and should be discussed with an attorney. If an attorney does not sign the reaffirmation agreement, the judge will hold a hearing on the matter, which the debtor must attend in order to obtain approval of the reaffirmation agreement. It will then be up to the judge to decide that the reaffirmation does not present an undue hardship to the debtor and that reaffirmation is in the debtor's best interest. It should be noted that the court generally will not approve reaffirmation of a mortgage debt as reaffirmations apply to personal property.

Historically, car loan contracts have contained a clause that states the act of filing bankruptcy puts the borrower in automatic default on the loan. Thus, even if a debtor is current on a car loan, the lender may have the power to repossess the car simply because the debtor filed bankruptcy. A reaffirmation agreement will eliminate the lender's right to enforce that clause and repossess a car so long as the debtor keeps paying the loan. However, Chapter 97 of Nevada

Revised Statutes was amended, effective October 1, 2011, to make such automatic default provisions in vehicle retail installment sale contracts unenforceable (automatic default provisions have since been removed from the state approved retail installment sale forms). The seller will have the burden to show that the prospect of payment, performance, or realization of collateral is significantly impaired. Because of the protection now afforded by Nevada law, a Nevada Bankruptcy Judge issued an opinion in 2013, in which he disapproved reaffirmation agreements for post October 1, 2011 vehicle retail installment sale contracts as not being in the debtors' best interest. Because the automatic default provision was not enforceable, the creditors could not repossess the vehicles simply because of the bankruptcy filing where the debtors were current on payments and not otherwise in default under their contracts; so as long as debtors maintained their payments, they could maintain possession and use of their vehicles. Therefore, it was not in the debtors' best interest to remain personally liable for deficiency balances on their vehicles.

- c. **Other.** The Statement of Intention has a fourth option, "Retain the Property and [explain]". This could be an option for a mortgage, which does not need to be reaffirmed for the debtor to keep the house; the debtor could indicate "continue to make payments." Although not listed as an option on the Statement of Intention, the judge might grant a "retain and pay" order in certain circumstances when the debtor fulfills his or her requirements in seeking to reaffirm a debt but the judge does not think the reaffirmation agreement is in the debtor's best interest. "Retain and pay" allows a debtor to keep the asset and keep making regular payments without reaffirming the entire debt.

FINANCIAL COUNSELING REQUIREMENTS

PRE-BANKRUPTCY FILING. Within 180 days before filing the Petition, the debtor must obtain a **Certificate of Compliance** by attending credit counseling through a Department of Justice approved credit counseling agency. In Las Vegas, the counseling can be obtained in person at Money Management International at 2650 S. Jones Blvd., Las Vegas, NV 89146, (702) 364-0344. The Certificate can also be obtained online. Other approved agencies are listed at: <http://www.justice.gov/ust/list-credit-counseling-agencies-approved-pursuant-11-usc-111>. There is a charge for the counseling and Certificate. It typically averages between \$25.00 and \$50.00. The Certificate of Compliance, together with any financial management plan resulting from the counseling, must be filed with the Petition and Schedules.

POST-BANKRUPTCY FILING. After filing, but before the debtor's debts are discharged, the debtor is required to attend a **second** instructional course in Personal Financial Management offered by an approved personal financial management (debtor education) provider. A list of providers is available at: <http://www.justice.gov/ust/list-approved-providers-personal-financial-management-instructional-courses-debtor-education>

There is an additional fee for this class. The **Certificate of Completion** must be filed with the Court within 60 days after the Meeting of Creditors. Failure to file the second certificate will result in the closing of your case without a discharge.

EMERGENCY BANKRUPTCY?

There are some situations that may be avoided by quickly filing bankruptcy and invoking the automatic stay. This is called an “emergency” filing. The circumstances listed below reflect situations that may be avoided by an emergency filing.

1. Prevent a utility disconnection for approximately 20 days.
2. Stall or stop a foreclosure (Chapter 13 may be appropriate if trying to keep the house.)
3. An eviction may be stalled for a few days. However, if a landlord obtains an eviction order before the bankruptcy is filed, it will usually be valid and enforceable despite the bankruptcy.
4. Prevent driver’s license suspension if livelihood depends on the ability to drive.
5. Stop wage garnishment(s) within 2-3 pay periods.

The Court requires that the following documents be filed at a minimum (a “bare bones petition”):

1. Voluntary Petition for Individuals
2. Certificate of Compliance
3. Statement About Your Social Security Numbers
4. Creditor Mailing Matrix (all of the creditors’ addresses)
5. Bankruptcy Petition Preparer Disclosure and Notice (if applicable)

The remainder of the bankruptcy forms and schedules must be filed within 14 days. If your forms are not filed within 45 days, your case will be dismissed.

Be very careful. If you file fast, you may file wrong. If at all possible, seek legal advice from a licensed attorney. There are repercussions if the Bankruptcy Court dismisses your case because you did something wrong. If you have a case dismissed and refile within 12 months, the automatic stay in the new case lasts only 30 days. To avoid the loss of the automatic stay, you must file a Motion with the Court explaining why the first case was dismissed and why the second case is needed. The Court will require a formal hearing to determine the issue.

Also, you cannot voluntarily dismiss a Chapter 7 bankruptcy; you will need to file a motion with the court and demonstrate good cause for the dismissal.

FILING FEE

The court filing fee for Chapter 7 is \$338 and \$313 to file a Chapter 13. Upon the Court’s permission, the fee can be paid in **installments (in Chapter 7 or 13 cases) or waived (only in Chapter 7 cases)** entirely. Such permission is dependent upon the debtor’s income and the debtor’s household size. If the debtor’s income is less than 150% of the poverty level, the Court may grant the request. The income guidelines and the form to request installment payments or

waiver are included in the Forms section of this manual. The income guidelines are updated annually, usually around February 1.

For southern Nevada (Clark, Nye, Lincoln and Esmeralda counties) residents, the filing fee and documents are submitted to the Clerk of Court on the 4th Floor of the United States **Bankruptcy Court** located at the Foley Federal Building, 300 Las Vegas Boulevard South, Las Vegas, NV 89101. If you have an attorney, he or she will handle filing your documents and paying your fee electronically.

While pro se debtors cannot file electronically, the Bankruptcy Court now offers debtors the opportunity to request receipt of court notices and orders via email, instead of via U.S. mail, through a program called "Debtor Electronic Bankruptcy Noticing" or "DeBN." Debtors requesting participation in the DeBN program must complete and file a Debtor's Electronic Noticing Request (DeBN) form with the court where their case is filed. For more information, visit the DeBN section on the Bankruptcy Court's website.

CHAPTER 7 STEPS

If you have determined that a Chapter 7 bankruptcy is the most appropriate chapter for your financial situation, below are suggested steps you can take. The Bankruptcy Court's website also contains excellent information for debtors, including a list of filing requirements for Chapter 7 at <http://www.nvb.uscourts.gov/filing/filing-requirements/>.

STEP 1 - CERTIFICATE OF COMPLIANCE. Obtain credit counseling by an approved credit counseling agency. Carefully evaluate whether bankruptcy is the appropriate choice for you. If it is, obtain your Certificate of Compliance of financial counseling.

STEP 2 - CONSULT ATTORNEY. Seek legal advice from a licensed Nevada attorney. The attorney will need information about your assets, debts, income, and expenses to give you advice specific to your situation.

STEP 3 - TAX RETURNS. Locate or request copies of your tax returns or tax transcripts for the last 2-4 years. A tax transcript request form can be obtained from the IRS at <http://www.irs.gov/Individuals/Get-Transcript>.

STEP 4 - INCOME VERIFICATION AND EXPENSE RECORDS. Locate your last six (6) months of pay stubs and expense records (for example, bills).

STEP 5 - PREPARE THE DOCUMENTS. You are required to file the following documents (copies of these documents are included in the forms section of this manual):

1. Voluntary Petition for Individuals (Form B101)
2. Notice Required by 11 U.S.C. §342(b) For Individuals Filing For Bankruptcy (Form B201)

3. A Summary of Your Assets and Liabilities and Certain Statistical Information (Form B106-Summary)
 - a. **Schedule A/B** - Property
 - b. **Schedule C** – The Property You Claim as Exempt
 - c. **Schedule D** - Creditors Who Hold Claims Secured by Property
 - d. **Schedule E/F** - Creditors Who Have Unsecured Claims
 - e. **Schedule G** - Executory Contracts and Unexpired Leases
 - f. **Schedule H** – Your Co-Debtors
 - g. **Schedule I** – Your Income
 - h. **Schedule J** – Your Expenses
 - i. **If you and your spouse maintain separate residences: Schedule J-2-Expenses** for Separate Household of Debtor 2
5. Declaration About an Individual Debtor’s Schedules (Form B106-Declaration)
6. Statement of Financial Affairs For Individuals Filing For Bankruptcy (Form B107)
7. Statement of Intention For Individuals Filing Under Chapter 7 (Form B108)
8. Statement About Your Social Security Numbers (Form B121)
9. Statement of Your Current Monthly Income (Form B122A-1) and if necessary Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (Form 122A-1 Supp) or Means Test Calculation (Form B122A-2)
10. Creditor Matrix File and Verification of Matrix: There is a list of governmental entities that **MUST** be included on the mailing matrix even if you do not owe them money. Also, add the name and address of your Trustee once you know who it is. There is a fillable Creditor Matrix Form in the Local Forms section of the Bankruptcy Court’s website.
11. *If Requesting to Pay Filing Fee in Installments*: Application for Individuals to Pay the Filing Fee in Installments (Form B103A)
12. *If Requesting Waiver of Filing Fee*: Application to Have the Chapter 7 Filing Fee Waived (Form B103B)
13. *If Your Landlord Has Obtained a Judgment of Eviction and You Wish to Stay the Eviction for 30 Days by Paying Rent*: Initial Statement About Payment of an Eviction Against You (Form 101A).

STEP 6 - FILE THE DOCUMENTS WITH THE CLERK OF COURT. Once the documents are carefully prepared, you can file the documents at the Courthouse. You will file in Las Vegas if this is where you have lived during the greater part of the previous 180 days. You will need the original plus one (1) copy to file at the U.S. Bankruptcy Court Clerk’s office. The U.S. Bankruptcy Court Clerk’s office is located on the fourth floor of the Foley Federal Building, 300 Las Vegas Blvd. South, Las Vegas, Nevada, 89101 (corner of Las Vegas Boulevard and Bridger). The hours are Mon - Fri 9:00 a.m. to 4:00 p.m. (closed legal holidays). (Note: If you are represented by an attorney, the attorney will file your documents with the Court electronically.)

You will need the filing fee in either a cashier’s check or money order (made payable to the “U.S. Bankruptcy Court”). **The Clerk will not accept cash, personal checks, or credit cards.** (Note: If represented by an attorney, the attorney can collect your filing fee as the attorney will pay your fee by credit card at the time of the electronic filing.)

Once the Clerk has filed the petition and other documents, he/she will return a “file-stamped” copy to you for your records. The file-stamp is evidence that the case has been filed with the Court. It also gives you valuable information about your case, such as the case number and judge’s name. You will also receive a notice with your trustee’s name, and the date and time for your Meeting of Creditors.

Upon the filing of the Petition and related documents, an **Automatic Stay** takes effect. An Automatic Stay places a “hold” on all of your assets and debts. As a result, a creditor is not allowed to attempt collections on a debt or repossess any asset of the estate. The Automatic Stay remains in effect in your bankruptcy case until a creditor requests permission to proceed against you by filing a motion to terminate (“lift”) the stay or until the dismissal or Discharge of Debt Order is entered in your case.

Even though your creditors will receive notice of your bankruptcy, it may take several weeks for them to process it. Do not be surprised if you are still receiving notices or phone calls from your creditors. Simply advise them of your bankruptcy and give them your case number.

STEP 7 - ATTEND THE MEETING OF THE CREDITORS (THE “341 MEETING”).

Attendance at the Meeting of Creditors is **mandatory**. The Trustee can initiate a dismissal of your bankruptcy case and a denial of your discharge of debts if you fail to appear. If you file jointly with your spouse, **BOTH** of you must appear. You might need to wait while the Trustee conducts other 341 meetings scheduled at the same time, but the meeting itself is short, usually less than 15 minutes, if your documents are in order and the Trustee does not have many questions. If your documents are not in order, the Trustee might continue the 341 meeting and require you to appear again.

The meetings are held remotely, either by phone or by Zoom. Information for connecting to the meeting is included on the notice the court sends to inform you of the date and time the meeting will be held. The Clerk’s office will have already provided copies of your file-stamped documents to the Trustee.

You will need to complete a Bankruptcy Questionnaire and Document Request and have the completed information to the Trustee no later than 7-15 days (depending on your Trustee) prior to your 341 Meeting. Examples of the types of documents requested include: last four income tax returns (signed copies); last six months of pay stubs or other proof of income; proof of value of all vehicles (appraisal or Kelley Blue Book); six months of bank statements for all financial accounts (checking, savings, retirement, etc.); and up to six months of additional income and expense history.

As there are several different Chapter 7 Trustees, the request for documents and other information will vary slightly. Make copies of your documents to send to the Trustee as you may NOT get them back after the hearing.

Creditor(s) are invited to attend the Meeting of Creditors, but most creditors do not attend. If they have questions, they may contact you either in writing or by telephone (if you have an attorney, they must contact the attorney rather than contacting you directly). If the Trustee

determines that there are non-exempt assets to administer the Trustee will notify each listed creditor to file a Proof of Claim.

STEP 8 - PERFORM STATED INTENTION REGARDING SECURED DEBTS. Within 30 days of the Meeting of Creditors, the debtor must perform his or her listed stated of intention in regard to property subject to secured debts. This means that the debtor will have to surrender the item, redeem the item, or enter into a reaffirmation agreement if the debtor listed it on the Statement of Intention. Failure to perform the stated intention by the deadline automatically lifts the stay as to that creditor and allows the creditor to reclaim the property.

STEP 9 - ATTEND THE INSTRUCTIONAL COURSE IN PERSONAL FINANCIAL MANAGEMENT. The debtor must complete a second financial management class and file the Certificate of Completion with the court within 60 days of the first date set for the Meeting of Creditors.

STEP 10 - TRUSTEE PAYS CREDITORS. If there are nonexempt assets for the Trustee to liquidate, the Trustee will sell those nonexempt assets and pay creditors in a particular order based on debt status and priority. In reality, the priority creditors are paid first and then administrative costs. Whatever money is left over goes toward unsecured debts. The Trustee will earn a fee for his/her services.

STEP 11 - DISCHARGE OF DEBTS. The Court will issue the Discharge of Debtor Order. This document will arrive by mail approximately 60 days after you have completed all requirements. If the Trustee at your 341 Meeting requires you to take some future action, such as getting him a copy of your next year's tax return, you are required to comply with the request even after your case is discharged. Failure to comply with the request will result in the Trustee filing a motion to reopen your case and revoke the discharge.

You are required to advise the Clerk in writing of any changes in your address for 2 years following the conclusion of your case. To do this, file a Change of Address form (Local Form NVB 4002 available on Bankruptcy Court's website, www.nvb.uscourts.gov) or simply send a letter to the Clerk with your name, bankruptcy case number and change of address.

CHAPTER 13 STEPS

This is a brief overview of the more complicated bankruptcy, Chapter 13. Chapter 13 is fairly complex and will require a lot of work on your part. **Most people who file a Chapter 13 need an attorney.** You must decide whether your income exceeds your monthly expenses providing extra funds to pay debts for the purpose of "funding" a Chapter 13 Plan.

Remember you CANNOT file a Chapter 13 bankruptcy if your secured debts are greater than \$1,395,875 or unsecured debts are greater than \$465,275. If you are in this situation and have too much income to file a Chapter 7, you might have to file a Chapter 11, which is beyond the

scope of this manual; you will need to consult an attorney.

Attorney fees may be paid through the Chapter 13 Repayment Plan, but it depends on the individual attorney handling the case. A Chapter 13 can require a lot of negotiation with creditors and the Trustee. There are multiple court hearings which often require making legal argument. The Trustee is not allowed to give you legal advice.

With a few exceptions, the steps involved in filing a Chapter 13 are very similar to the steps required for a Chapter 7. However, instead of filing a Statement of Intention, you will file a Chapter 13 Plan. In addition, there is a different set of means test forms: Chapter 13 Statement of Your Current Monthly Income and Calculation of Your Disposable Income (Form B122C-1) and Chapter 13 Calculation of Commitment Period (Form B122C-2). The Bankruptcy Court's website also contains excellent information for debtors, including a list of filing requirements for Chapter 13 at <http://www.nvb.uscourts.gov/filing/filing-requirements/>.

STEPS 1 – 4: SAME AS CHAPTER 7 STEPS (See page 22).

STEP 5 - MAP OUT YOUR REPAYMENT PLAN. Do you have enough money each month to make sufficient payments toward the debts that you must repay, pay it off in 3 to 5 years AND still have enough money to make current payments toward necessary household expenses?

1. Calculate your income and expenses using the Means Test. Prepare the Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period, and if above the median income for your state, Chapter 13 Calculation of Your Disposable Income form. Certain monthly expenses are permitted based on an IRS Living Expenses guideline for the geographic region. The difference between the income and the allowed expenses is your disposable monthly income that is expected to be paid to the Chapter 13 Trustee.
2. Calculate the value of your nonexempt property. Determine the total value of your “non-exempt” property. Nonexempt assets must be valued at or near the value the assets would have received if sold under a Chapter 7 bankruptcy case. This is called the “Best Interest Test.” For example: If debtor has \$10,000 of non-exempt assets which would go to creditors in a Chapter 7, payments under a Chapter 13 plan must have a present value of \$10,000.
3. Add up your debts. Organize your debts according to their status as secured, unsecured, and unsecured priority. Determine which debts must be repaid through the repayment plan. Debts which must be repaid generally include the IRS back taxes, mortgage arrears if trying to save a home from foreclosure, back child support and alimony, etc.
4. Map out a repayment plan. If your income is below Nevada's median income, the plan will likely be 3 years. If you are above the median, you will need to prepare a 5 year plan. Multiply your monthly disposable income (from step 1) by the number of months of your repayment plan. Make sure that the total of your payments meets or exceeds the value of your nonexempt assets (from step 2). Determine if the total of payments under the plan will sufficiently pay all of the debts that are required to be paid in the repayment plan (from step 3). Keep in mind that the Trustee is entitled to 10% of your plan payments; ensure the amount leftover for creditors will be

enough to pay off all the required debts.

Key Comments:

You must also add into the repayment plan the amount of missed or delinquent payments owed to a secured creditor. You will have to make up all the missed payments to keep the property (mortgage or car payments). These payments now are to be “conduit payments”, i.e. made through your Trustee.

The Trustee is entitled to a fee. The plan must allow sufficient sums to pay 10% of the total amount owed in the plan as a payment to the Trustee.

If your plan includes payments to creditors directly, resume payments on the next due date after the date you filed.

If you disagree with the validity of a debt, you can contest a debt as a part of your Chapter 13 plan. This will require a separate legal proceeding.

Well over half of the debtors who file Chapter 13 bankruptcy are unable to maintain the reorganization payment plan. As a result, the bankruptcy is dismissed and the debtor does not receive a discharge of debts.

STEP 6 - PREPARE THE DOCUMENTS. You are required to file the following documents.

1. Voluntary Petition for Individuals (Form B101)
2. Notice Required by 11 U.S.C. §342(b) For Individuals Filing For Bankruptcy (Form B201)
3. A Summary of Your Assets and Liabilities and Certain Statistical Information (Form B106-Summary)
 - a. **Schedule A/B** - Property
 - b. **Schedule C** – The Property You Claim as Exempt
 - c. **Schedule D** - Creditors Who Hold Claims Secured by Property
 - d. **Schedule E/F** - Creditors Who Have Unsecured Claims
 - e. **Schedule G** - Executory Contracts and Unexpired Leases
 - f. **Schedule H** – Your Co-Debtors
 - g. **Schedule I** – Your Income
 - h. **Schedule J** – Your Expenses
 - i. **If you and your spouse maintain separate residences: Schedule J-2-Expenses for Separate Household of Debtor 2**
4. Declaration About an Individual Debtor’s Schedules (Form B106-Declaration)
5. Your Statement of Financial Affairs For Individuals Filing For Bankruptcy (Form B107)
6. Your Statement of Intention For Individuals Filing Under Chapter 7 (Form B108)
7. Your Statement About Your Social Security Numbers (Form B121)
8. Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Form B122C-1), and if required Form B122C-2, Chapter 13 Calculation of Your Disposable Income.
9. Chapter 13 Plan. Note: Chapter 13 Plan and B122C Forms are not included in manual.

They are available at <http://www.nvb.uscourts.gov/rules-forms>. Forms B122C-1 and B122C-2 are Official (National) Forms, while the Chapter 13 Plan can be found under Local Forms.

10. **Creditor Matrix File and Verification of Matrix:** There is a list of governmental entities that **MUST** be included on the mailing matrix even if you do not owe them money. Also, add the name and address of your Trustee once you know who it is. There is a fillable Creditor Matrix Form in the Local Forms section of the Bankruptcy Court's website.
11. *If Requesting to Pay Filing Fee in Installments:* Application for Individuals to Pay Filing Fee in Installments (Form B103A) (Do not ask for a waiver of fees if filing a Chapter 13 – if you cannot afford the filing fee, you cannot maintain the plan.)

STEP 7 - FILE THE DOCUMENTS WITH THE CLERK OF COURT. Once the documents are carefully prepared, you can file the documents at the Courthouse. You will file in Las Vegas if this is where you have lived during the greater part of the previous 180 days. You will need the original and one (1) copy to file at the U.S. Bankruptcy Court Clerk's office. The U.S. Bankruptcy Court Clerk's office is located on the fourth floor of the Foley Federal Building, 300 Las Vegas Blvd. South, Las Vegas, Nevada, 89101 (corner of Las Vegas Boulevard and Bridger). The hours are Mon - Fri 9:00 a.m. to 4:00 p.m. (closed legal holidays). (Note: If you are represented by an attorney, the attorney will file your documents with the Court electronically.)

You will need your filing fee in a cashier's check or money order (made payable to the "U.S. Bankruptcy Court"), or you can pay the filing fee online through the court's website: <https://www.nvb.uscourts.gov>. **The Clerk will not accept cash, personal checks, or credit cards.** (Note: If represented by an attorney, the attorney can collect your filing fee as the attorney will pay your fee by credit card at the time of the electronic filing.)

Once the Clerk has filed the petition and other documents, he/she will give you a "file-stamped" copy for your records. The file-stamp is evidence that the case has been filed with the Court. It also gives you valuable information about your case, such as the case number, judge's name, trustee's name, and the date and time for your Meeting of Creditors.

Upon the filing of the Petition and related documents, an **Automatic Stay** takes effect. An Automatic Stay places a "hold" on all of your assets and debts. As a result, a creditor is not allowed to attempt collections on a debt or repossess any asset of the estate. The Automatic Stay remains in effect in your bankruptcy case until a creditor requests permission to proceed against you by filing a Motion to "lift" the stay or until the dismissal or Discharge of Debt Order is entered in your case.

Even though your creditors will receive notice of your bankruptcy, it may take several weeks for them to process it. Do not be surprised if you are still receiving notices or phone calls from your creditors. Simply advise them of your bankruptcy and give them your case number.

STEP 8 - BEGIN MAKING PAYMENTS PURSUANT TO PLAN. You must start making the payments proposed by the plan within 30 days after the plan is filed regardless of pending court dates or communication with the Trustee. This means that before the 341 Meeting is

scheduled, you probably will have a payment due. The Trustee is paid directly as detailed in your plan and will distribute the money to your creditors. The Trustee's fee is 10% of your payments to creditors.

STEP 9 - ATTEND THE 341 MEETING. Attendance at the 341 Meeting of Creditors is **mandatory**. The Trustee can initiate a dismissal of your bankruptcy case if you fail to appear. If you file jointly with your spouse, **BOTH** of you must appear. The meeting itself is short, usually less than 30 minutes.

The meetings are held remotely, either by phone or by Zoom. Information for connecting to the meeting is included on the notice the court sends to inform you of the date and time the meeting will be held. The Clerk's office will have already provided copies of your file-stamped documents to the Trustee.

Creditor(s) are invited to attend the Meeting of Creditors, but most creditors do not attend. If they have questions, they may contact you either in writing or by telephone (if you have an attorney, they must contact the attorney rather than contacting you directly). However, they must file a Proof of Claim if they want to collect on the debt you owe it.

STEP 10 - ATTEND CONFIRMATION HEARING TO CONFIRM PLAN. If the Chapter 13 Plan is rejected, an amendment will be permitted if it appears that the amendment will solve the problem. Other instances where the Plan may be modified include: circumstances have changed; difficulty in making payments; provide a temporary grace period by reducing the total monthly payments or extending the repayment period; and if you need to add creditors (very limited).

You can ask the Trustee for help. However, the Trustee is not available to act as your attorney and you may need to hire a lawyer to review and correct your plan. At the Hearing, the Judge will ask the Trustee for his or her recommendation as to whether your plan is reasonable and should be confirmed by the Court.

If a creditor disagrees with the treatment received by the claim, the creditor must file a written objection.

STEP 11 - CONFIRMATION ORDER ISSUED. You must continue to make payments to the Trustee until you complete your plan. If you miss a payment, the Trustee can file a Motion to Dismiss for Nonpayment.

STEP 12 - ATTEND THE INSTRUCTIONAL COURSE IN PERSONAL FINANCIAL MANAGEMENT. The debtor must complete a second financial management class and file the Certificate of Completion with the court no later than the last payment made by the debtor as required by the plan or the filing of a motion for a discharge.

STEP 13 – REVIEW TRUSTEE'S FINAL ACCOUNT AND REPORT. The Trustee will prepare a Final Report and Accounting showing that you have completed your plan payments. If you or the Trustee made payments to your mortgage creditor for your residence, the Trustee must

file a “Notice of Final Cure.” This notice requires your mortgage lender to advise the Trustee and Court whether you are now current with your mortgage payments. If you are not current at the end of your plan, you could face foreclosure after you receive your discharge.

STEP 14 - FILE DEBTOR’S CERTIFICATE OF COMPLIANCE WITH CONDITIONS RELATED TO ENTRY OF CHAPTER 13 DISCHARGE. The Chapter 13 discharge requires a notice and may require a hearing. There is a form entitled Debtor’s Certificate of Compliance with Conditions Related to Entry of Chapter 13 Discharge which must be filed prior to the Court granting the Discharge. The form is available at: <http://www.nvb.uscourts.gov/LocalRules-Forms/Local-forms.htm>. **The debtor must certify that all applicable Domestic Support Obligations are paid, that the debtor has not received a prior discharge in a Chapter 13 within 2 years or a prior discharge from a Chapter 7 within 4 years, and has completed the approved course in financial management.**

STEP 15 - ATTEND THE DISCHARGE OF DEBTS HEARING/OBTAIN DISCHARGE. If anyone objects to your Certificate of Compliance, the court will hold a hearing. If no one objects, the court will automatically issue the Order of Discharge once you have made all required plan payments and filed your Debtor’s Certificate of Compliance with Conditions Related to Entry of Chapter 13 Discharge.

NOTE: You have an absolute right to **dismiss** your Chapter 13 case at any time or to convert it to a Chapter 7 if you qualify for a Chapter 7. But BEWARE, you may lose the benefit of the automatic stay if you have a dismissed bankruptcy case. See an attorney before you dismiss.

Note that if the Court dismissed your case for failing to follow a Court Order or if you voluntarily dismissed the case after a creditor asked the Court to remove the automatic stay, you may also have to wait 180 days to file again. Even thereafter, you may not receive the benefit of the Bankruptcy stay.

Community Resources

Bankruptcy Court

Foley Federal Building
300 Las Vegas Blvd., South
www.nvb.uscourts.gov
702-527-7000

Center for Individual, Couple and Family

Counseling (UNLV)
McDermott Physical Education complex (MPE),
4505 Maryland Pkwy, Box 453049, Bldg A, 2nd Fl
www.unlv.edu/cicfc
702-895-3106

Civil Law Self-Help Center

200 Lewis Ave.
www.civillawselfhelpcenter.org

Clark County Bar Association

725 South Eighth Street
www.clarkcountybar.org
702-387-6011

Clark County Civil Sheriff

301 E. Clark Ave., 6th Fl.
www.clarkcountynv.gov/depts/sheriff_civil
702-671-5822

Clark County Constable (Las Vegas Township)

302 E. Carson, 5th Floor
www.clarkcountynv.gov/depts/constable
702-455-3404

Clark County Dept. of Family Services

121 S. Martin Luther King Blvd.
www.clarkcountynv.gov/depts/family_services
702-455-7200 (central office)

Clark County District Attorney

Family Support Division
1900 E. Flamingo Road, Ste. 100
www.clarkcountynv.gov/depts/district_attorney/fs
702-671-9200

Clark County Law Library

309 South Third, 4th Floor (at Bridger)
www.clarkcountynv.gov/lawlibrary/pages/default.aspx
702-455-4696

Clark County Neighborhood Justice Center

330 S. 3rd Street, Suite 600
<http://www.lasvegasjusticecourt.us/services/>
702-455-3898

Clark County Public Guardian's Office

515 Shadow Lane
www.clarkcountynv.gov/depts/public_guardian
702-455-4332

Clark County Recorder's Office

500 South Grand Central Pkwy, 2nd Floor
www.clarkcountynv.gov/depts/recorder
702-455-4336

Clark County School District

5100 W. Sahara Avenue
www.ccsd.net
702-799-5000

Clark County Social Services, main office

1600 Pinto Lane
www.clarkcountynv.gov/depts/social_service
702-455-4270

Child Care and Development Fund, Child Care Program

628 Belrose Street
dwss.nv.gov
702-486-1432

Family Courthouse

601 North Pecos Road
www.clarkcountycourts.us/departments/judicial/family-division/
702-455-2385

Family Law Self-Help Center/Protection Orders

601 North Pecos Road
www.familylawselfhelpcenter.org

Family Mediation Program

Family Courthouse
601 North Pecos Road, Ste. ADG -450
www.clarkcountycourts.us/departments/fmc/
702-455-4186

Financial Guidance Center

(Money Management International)
2650 South Jones Blvd.
www.financialguidancecenter.org
702-364-0344

HELP of Southern Nevada

1640 E. Flamingo Road #100
www.helpsonv.org
702-369-4357

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| <p>Latin Chamber of Commerce 300 N. 13th Street www.lvcc.com 702-385-7367</p> <p>Las Vegas Rescue Mission (Shelter for men, women, children) 480 W. Bonanza (between D and F Streets) www.vegasrescue.org 702-382-1766</p> <p>Legal Aid Center of Southern Nevada 725 E. Charleston Blvd. www.lacsn.org 702-386-1070</p> <p>National Guardianship Association 174 Crestview Drive Bellefonte PA 16823 www.guardianship.org 877-326-5992</p> <p>Nevada 211 www.Nevada211.org Phone: 211</p> <p>Nevada Legal Services 530 South Sixth Street www.nlslaw.net 702-386-0404</p> <p>Nevada State Welfare (welfare, needy and non-needy caretaker benefits and food stamps, Medicaid) dwss.nv.gov 702-486-5000 (Henderson) or 486-9400 (Flamingo)</p> <p>PEP (Parents Encouraging Parents) 2101 S. Jones Blvd., Ste. 120 www.nvpep.org 702-388-8899</p> <p>Safe House Inc. (Shelter for women/children) www.safehousenv.org 702-451-4203 (Main) or 702-564-3227 (24 hour)</p> | <p>Safe Nest (Shelter and Crisis Hotline Counseling) www.safenest.org 702-646-4981 702-877-0133</p> <p>Salvation Army (Day Resource Center - Shelter for Men) West Owens www.salvationarmysouthernnevada.org 702-639-0277</p> <p>Southern Nevada Senior Law Program www.snsnlp.org 702-229-6596</p> <p>Shade Tree (Women/children shelter) 1 West Owens (at Main) www.theshadetree.org 702-385-0072</p> <p>Southern Nevada Adult Mental Health Services 6161 W. Charleston Blvd. mhds.nv.gov 702-486-6000</p> <p>Southern Nevada Health District Immunization Project www.southernnevadahealthdistrict.org/immunizations 702-759-0850</p> <p>State Bar of Nevada's Lawyer Referral Service 600 East Charleston Blvd. www.nvbar.org 702-382-0504</p> <p>William S. Boyd School of Law Library (at UNLV) 4505 S. Maryland Pkwy. www.law.unlv.edu/Library 702-895-2400</p> <p>YMCA Parent Education Classes 4141 Meadows Lane www.lasvegasyymca.org 702-877-9622</p> |
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| <p>Nevada Law Websites: Clark County Law Library www.clarkcountynv.gov/lawlibrary/pages/default.aspx Clark County Records Inquiry www.clarkcountycourts.us/anonymous/default.aspx Constitution: Nevada State www.leg.state.nv.us/Const/NVConst.html Legislative Session Information www.leg.state.nv.us/session</p> | <p>Nevada Index www.nevadaindex.com Nevada Law Library www.leg.state.nv.us/law1.cfm Nevada Supreme Court www.nevadajudiciary.us William S. Boyd School of Law library www.law.unlv.edu</p> |
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FORMS

1. Numbers to Check Before Filing
 - a. NRS 21.090 (Exemption statute)
 - b. Means Testing – Census Bureau, IRS Data and Administrative Expense Multipliers
 - c. 150% of the HHS Poverty Guidelines (for Application for Waiver of Chapter 7 Filing Fee)
2. Official Bankruptcy Forms (including Voluntary Petition for Individuals)
3. Trustee Questionnaire

Official bankruptcy forms are available for FREE in data-enabled format at:

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

Updated May 2017

NRS 21.090 Property exempt from execution.

1. The following property is exempt from execution, except as otherwise specifically provided in this section or required by federal law:

(a) Private libraries, works of art, musical instruments and jewelry not to exceed \$5,000 in value, belonging to the judgment debtor or a dependent of the judgment debtor, to be selected by the judgment debtor, and all family pictures and keepsakes.

(b) Necessary household goods, furnishings, electronics, wearing apparel, other personal effects and yard equipment, not to exceed \$12,000 in value, belonging to the judgment debtor or a dependent of the judgment debtor, to be selected by the judgment debtor.

(c) Farm trucks, farm stock, farm tools, farm equipment, supplies and seed not to exceed \$4,500 in value, belonging to the judgment debtor to be selected by the judgment debtor.

(d) Professional libraries, equipment, supplies, and the tools, inventory, instruments and materials used to carry on the trade or business of the judgment debtor for the support of the judgment debtor and his or her family not to exceed \$10,000 in value.

(e) The cabin or dwelling of a miner or prospector, the miner's or prospector's cars, implements and appliances necessary for carrying on any mining operations and the mining claim actually worked by the miner or prospector, not exceeding \$4,500 in total value.

(f) Except as otherwise provided in paragraph (p), one vehicle if the judgment debtor's equity does not exceed \$15,000 or the creditor is paid an amount equal to any excess above that equity.

(g) For any workweek, 82 percent of the disposable earnings of a judgment debtor during that week if the gross weekly salary or wage of the judgment debtor on the date the most recent writ of garnishment was issued was \$770 or less, 75 percent of the disposable earnings of a judgment debtor during that week if the gross weekly salary or wage of the judgment debtor on the date the most recent writ of garnishment was issued exceeded \$770, or 50 times the minimum hourly wage prescribed by section 206(a)(1) of the federal Fair Labor Standards Act of 1938, 29 U.S.C. §§ 201 et seq., and in effect at the time the earnings are payable, whichever is greater. Except as otherwise provided in paragraphs (o), (s) and (t), the exemption provided in this paragraph does not apply in the case of any order of a court of competent jurisdiction for the support of any person, any order of a court of bankruptcy or of any debt due for any state or federal tax. As used in this paragraph:

(1) "Disposable earnings" means that part of the earnings of a judgment debtor remaining after the deduction from those earnings of any amounts required by law to be withheld.

(2) "Earnings" means compensation paid or payable for personal services performed by a judgment debtor in the regular course of business, including, without limitation, compensation designated as income, wages, tips, a salary, a commission or a bonus. The term includes compensation received by a judgment debtor that is in the possession of the judgment debtor, compensation held in accounts maintained in a bank or any other financial institution or, in the case of a receivable, compensation that is due the judgment debtor.

(h) All fire engines, hooks and ladders, with the carts, trucks and carriages, hose, buckets, implements and apparatus thereunto appertaining, and all furniture and uniforms of any fire company or department organized under the laws of this State.

(i) All arms, uniforms and accouterments required by law to be kept by any person, and also one gun, to be selected by the debtor.

(j) All courthouses, jails, public offices and buildings, lots, grounds and personal property, the fixtures, furniture, books, papers and appurtenances belonging and pertaining to the courthouse, jail and public offices belonging to any county of this State, all cemeteries, public squares, parks and places, public buildings, town halls, markets, buildings for the use of fire departments and military organizations, and the lots and grounds thereto belonging and appertaining, owned or held by any town or incorporated city, or dedicated by the town or city to health, ornament or public use, or for the use of any fire or military company organized under the laws of this State and all lots, buildings and other school property owned by a school district and devoted to public school purposes.

(k) All money, benefits, privileges or immunities accruing or in any manner growing out of any life insurance.

(l) The homestead as provided for by law, including a homestead for which allodial title has been established and not relinquished and for which a waiver executed pursuant to NRS 115.010 is not applicable.

(m) The dwelling of the judgment debtor occupied as a home for himself or herself and family, where the amount of equity held by the judgment debtor in the home does not exceed \$550,000 in value and the dwelling is situated upon lands not owned by the judgment debtor.

(n) All money reasonably deposited with a landlord by the judgment debtor to secure an agreement to rent or lease a dwelling that is used by the judgment debtor as his or her primary residence, except that such money is not exempt

with respect to a landlord or the landlord's successor in interest who seeks to enforce the terms of the agreement to rent or lease the dwelling.

(o) All property in this State of the judgment debtor where the judgment is in favor of any state for failure to pay that state's income tax on benefits received from a pension or other retirement plan.

(p) Any vehicle owned by the judgment debtor for use by the judgment debtor or the judgment debtor's dependent that is equipped or modified to provide mobility for a person with a permanent disability.

(q) Any prosthesis or equipment prescribed by a physician or dentist for the judgment debtor or a dependent of the debtor.

(r) Money, not to exceed \$1,000,000 in present value, held in:

(1) An individual retirement arrangement which conforms with or is maintained pursuant to the applicable limitations and requirements of section 408 or 408A of the Internal Revenue Code, 26 U.S.C. §§ 408 and 408A, including, without limitation, an inherited individual retirement arrangement;

(2) A written simplified employee pension plan which conforms with or is maintained pursuant to the applicable limitations and requirements of section 408 of the Internal Revenue Code, 26 U.S.C. § 408, including, without limitation, an inherited simplified employee pension plan;

(3) A cash or deferred arrangement plan which is qualified and maintained pursuant to the Internal Revenue Code, including, without limitation, an inherited cash or deferred arrangement plan;

(4) A trust forming part of a stock bonus, pension or profit-sharing plan which is qualified and maintained pursuant to sections 401 et seq. of the Internal Revenue Code, 26 U.S.C. §§ 401 et seq.; and

(5) A trust forming part of a qualified tuition program pursuant to chapter 353B of NRS, any applicable regulations adopted pursuant to chapter 353B of NRS and section 529 of the Internal Revenue Code, 26 U.S.C. § 529, unless the money is deposited after the entry of a judgment against the purchaser or account owner or the money will not be used by any beneficiary to attend a college or university.

(s) All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support, education and maintenance of a child, whether collected by the judgment debtor or the State.

(t) All money and other benefits paid pursuant to the order of a court of competent jurisdiction for the support and maintenance of a former spouse, including the amount of any arrearages in the payment of such support and maintenance to which the former spouse may be entitled.

(u) Payments, in an amount not to exceed \$16,150, received as compensation for personal injury, not including compensation for pain and suffering or actual pecuniary loss, by the judgment debtor or by a person upon whom the judgment debtor is dependent at the time the payment is received.

(v) Payments received as compensation for the wrongful death of a person upon whom the judgment debtor was dependent at the time of the wrongful death, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

(w) Payments received as compensation for the loss of future earnings of the judgment debtor or of a person upon whom the judgment debtor is dependent at the time the payment is received, to the extent reasonably necessary for the support of the judgment debtor and any dependent of the judgment debtor.

(x) Payments received as restitution for a criminal act.

(y) Payments received pursuant to the federal Social Security Act, including, without limitation, retirement and survivors' benefits, supplemental security income benefits and disability insurance benefits.

(z) Any personal property not otherwise exempt from execution pursuant to this subsection belonging to the judgment debtor, including, without limitation, the judgment debtor's equity in any property, money, stocks, bonds or other funds on deposit with a financial institution, not to exceed \$10,000 in total value, to be selected by the judgment debtor.

(aa) Any tax refund received by the judgment debtor that is derived from the earned income credit described in section 32 of the Internal Revenue Code, 26 U.S.C. § 32, or a similar credit provided pursuant to a state law.

(bb) Stock of a corporation described in subsection 2 of NRS 78.746 except as set forth in that section.

(cc) Regardless of whether a trust contains a spendthrift provision:

(1) A distribution interest in the trust as defined in NRS 163.4155 that is a contingent interest, if the contingency has not been satisfied or removed;

(2) A distribution interest in the trust as defined in NRS 163.4155 that is a discretionary interest as described in NRS 163.4185, if the interest has not been distributed;

(3) A power of appointment in the trust as defined in NRS 163.4157 regardless of whether the power has been exercised;

(4) A power listed in NRS 163.5553 that is held by a trust protector as defined in NRS 163.5547 or any other person regardless of whether the power has been exercised; and

(5) A reserved power in the trust as defined in NRS 163.4165 regardless of whether the power has been exercised.

(dd) If a trust contains a spendthrift provision:

(1) A distribution interest in the trust as defined in NRS 163.4155 that is a mandatory interest as described in NRS 163.4185, if the interest has not been distributed; and

(2) Notwithstanding a beneficiary's right to enforce a support interest, a distribution interest in the trust as defined in NRS 163.4155 that is a support interest as described in NRS 163.4185, if the interest has not been distributed.

(ee) Proceeds received from a private disability insurance plan.

(ff) Money in a trust fund for funeral or burial services pursuant to NRS 689.700.

(gg) Compensation that was payable or paid pursuant to chapters 616A to 616D, inclusive, or chapter 617 of NRS as provided in NRS 616C.205.

(hh) Unemployment compensation benefits received pursuant to NRS 612.710.

(ii) Benefits or refunds payable or paid from the Public Employees' Retirement System pursuant to NRS 286.670.

(jj) Money paid or rights existing for vocational rehabilitation pursuant to NRS 615.270.

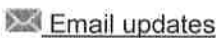
(kk) Public assistance provided through the Department of Health and Human Services pursuant to NRS 422.291 and 422A.325.

(ll) Child welfare assistance provided pursuant to NRS 432.036.

2. Except as otherwise provided in NRS 115.010, no article or species of property mentioned in this section is exempt from execution issued upon a judgment to recover for its price, or upon a judgment of foreclosure of a mortgage or other lien thereon.

3. Any exemptions specified in subsection (d) of section 522 of the Bankruptcy Reform Act of 1978, 11 U.S.C. §§ 101 et seq., do not apply to property owned by a resident of this State unless conferred also by subsection 1, as limited by subsection 2.

MEANS TESTING



[Email updates](#)

Census Bureau, IRS Data and Administrative Expenses Multipliers

Most individual debtors filing for bankruptcy relief are required to complete a version of Bankruptcy Form 122. Official Form 122A-1 (Chapter 7 Statement of Your Current Monthly Income), Official Form 122A-1Supp (Statement of Exemption from Presumption of Abuse Under § 707(b)(2)), and Official Form 122A-2 (Chapter 7 Means Test Calculation) (collectively the "122A Forms") are designed for use in chapter 7 cases. Official Form 122C-1 (Statement of Your Current Monthly Income and Calculation of Commitment Period) and Official Form 122C-2 (Chapter 13 Calculation of Your Disposable Income) (collectively the "122C Forms") are designed for use in chapter 13 cases. [The Official Bankruptcy Forms can be found on the Administrative Office of the U.S. Courts Web site.]

A debtor must enter income and expense information onto the appropriate form (*i.e.*, the 122A Forms or the 122C Forms) and then make calculations using the information entered. Some of the information needed to complete these forms, such as a debtor's current monthly income, comes from the debtor's own personal records. However, other information needed to complete the forms comes from the Census Bureau and the Internal Revenue Service (IRS). This Web site reproduces the Census Bureau and IRS Data necessary to complete the 122A Forms and the 122C Forms. The source data reproduced here is also available directly from the IRS and Census Bureau using the links at the bottom of this page.

For questions related to this data, e-mail: ust.mt.help@usdoj.gov. For general assistance in filing for bankruptcy relief, the clerk of your local bankruptcy court or your local state Bar Association may have information regarding individuals or organizations offering bankruptcy related services, including on a reduced fee or pro bono basis. However, we and the clerk of your local bankruptcy court are prohibited from providing any legal advice.

Data Required for Completing the 122A Forms and the 122C Forms

To locate the data and multipliers applicable to a bankruptcy case, select from the following drop down list the time period in which the case was filed.

» Important Notices

Updated Census Bureau Median Income Data

10/15/2018

The Census Bureau's Median Family Income Data accessible through this page has been updated. The U.S. Trustee Program will apply the updated data to cases filed on or after November 1, 2018.

Updated Administrative Expense Multipliers & IRS Data

4/16/2018

The Administrative Expense Multipliers and IRS's National Standards for Allowable Living Expenses and Local Standards for Transportation and Housing and Utilities Expenses accessible through this page have been updated. The revised multipliers and standards will apply to cases filed on or after May 1, 2018.



USTP Position on Legal Issues Arising Under The Chapter 7 Means Test [[PDF - 54 KB](#)]

USTP Position Concerning Chapter 13 Disposable Income Test [[PDF - 43 KB](#)]

Note:

The original source for the [State Median Family Income](#) is the [Census Bureau](#).

The original source for the National and Local Standards is the [IRS](#).

To report any differences between the data on these pages and their original source, please e-mail: ust.mt.help@usdoj.gov.

Updated October 15, 2018

Was this page helpful?

Yes No

| 150% of the HHS Poverty Guidelines for 2023* Monthly Basis | | | |
|---|-------------------------------|------------|------------|
| Persons in family unit | 48 Contiguous States and D.C. | Alaska | Hawaii |
| 1 | \$1,822.50 | \$2,276.25 | \$2,096.25 |
| 2 | \$2,465.00 | \$3,080.00 | \$2,835.00 |
| 3 | \$3,107.50 | \$3,883.75 | \$3,573.75 |
| 4 | \$3,750.00 | \$4,687.50 | \$4,312.50 |
| 5 | \$4,392.50 | \$5,491.25 | \$5,051.25 |
| 6 | \$5,035.00 | \$6,295.00 | \$5,790.00 |
| 7 | \$5,677.50 | \$7,098.75 | \$6,528.75 |
| 8 | \$6,320.00 | \$7,902.50 | \$7,267.50 |
| For each additional person add | \$642.50 | \$803.75 | \$738.75 |
| * As required by section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35 - reauthorized by Pub. L. 105-285, Section 201 (1988)). | | | |

| 150% of the HHS Poverty Guidelines for 2023* Annual Basis | | | |
|---|-------------------------------|----------|----------|
| Persons in family unit | 48 Contiguous States and D.C. | Alaska | Hawaii |
| 1 | \$21,870 | \$27,315 | \$25,155 |
| 2 | \$29,580 | \$36,960 | \$34,020 |
| 3 | \$37,290 | \$46,605 | \$42,885 |
| 4 | \$45,000 | \$56,250 | \$51,750 |
| 5 | \$52,710 | \$65,895 | \$60,615 |
| 6 | \$60,420 | \$75,540 | \$69,480 |
| 7 | \$68,130 | \$85,185 | \$78,345 |
| 8 | \$75,840 | \$94,830 | \$87,210 |
| For each additional person add | \$7,710 | \$9,645 | \$8,865 |
| * As required by section 673(2) of the Omnibus Budget Reconciliation Act of 1981 (Pub. L. 97-35 - reauthorized by Pub. L. 105-285, Section 201 (1988)). | | | |

OFFICIAL BANKRUPTCY FORMS

1. Voluntary Petition for Individuals (Form B101)
2. Initial Statement About Payment of an Eviction Against You (Form 101A)
3. Application for Individuals to Pay the Filing Fee in Installments (Form B103A) and Order
4. Application to Have the Chapter 7 Filing Fee Waived (Form B103B) and Order
5. A Summary of Your Assets and Liabilities and Certain Statistical Information (Form B106-Sum)
6. Schedules:
 - a. **Schedule A/B** - Property
 - b. **Schedule C** – The Property You Claim as Exempt
 - c. **Schedule D** - Creditors Who Hold Claims Secured by Property
 - d. **Schedule E/F** - Creditors Who Have Unsecured Claims
 - e. **Schedule G** - Executory Contracts and Unexpired Leases
 - f. **Schedule H** – Your Co-Debtors
 - g. **Schedule I** – Your Income
 - h. **Schedule J** – Your Expenses
 - i. **Schedule J-2**-Expenses for Separate Household of Debtor 2
5. Declaration About an Individual Debtor’s Schedules (Form B106-Declaration)
6. Statement of Financial Affairs For Individuals Filing For Bankruptcy (Form B107)
7. Statement of Intention For Individuals Filing Under Chapter 7 (Form B108)
8. Bankruptcy Petition Preparer’s Notice, Declaration, and Signature (Form 119)
9. Disclosure of Compensation of Bankruptcy Petition Preparer (Form 2800)
10. Statement About Your Social Security Numbers (Form B121)
11. Statement of Your Current Monthly Income (Form B122A-1)
12. Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (Form 122A-1 Supp)
13. Means Test Calculation (Form B122A-2)
14. Creditor Matrix Example and Verification of Matrix (Local Form NVB1007-1)
15. Certification About a Financial Management Course (Form 423)

Note: Chapter 13-specific forms (for monthly income and commitment period, calculation of disposable income and Chapter 13 plan) are not included in the forms, but are available through the Bankruptcy Court’s website.

Fill in this information to identify your case:

United States Bankruptcy Court for the:

_____ District of _____

Case number (if known): _____ Chapter you are filing under:

- ☐ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

☐ Check if this is an amended filing

Official Form 101

Voluntary Petition for Individuals Filing for Bankruptcy

04/20

The bankruptcy forms use *you* and *Debtor 1* to refer to a debtor filing alone. A married couple may file a bankruptcy case together—called a *joint case*—and in joint cases, these forms use *you* to ask for information from both debtors. For example, if a form asks, “Do you own a car,” the answer would be *yes* if either debtor owns a car. When information is needed about the spouses separately, the form uses *Debtor 1* and *Debtor 2* to distinguish between them. In joint cases, one of the spouses must report information as *Debtor 1* and the other as *Debtor 2*. The same person must be *Debtor 1* in all of the forms.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Identify Yourself

About Debtor 1:

About Debtor 2 (Spouse Only in a Joint Case):

1. Your full name

Write the name that is on your government-issued picture identification (for example, your driver's license or passport).

Bring your picture identification to your meeting with the trustee.

First name _____

Middle name _____

Last name _____

Suffix (Sr., Jr., II, III) _____

First name _____

Middle name _____

Last name _____

Suffix (Sr., Jr., II, III) _____

2. All other names you have used in the last 8 years

Include your married or maiden names.

First name _____

Middle name _____

Last name _____

First name _____

Middle name _____

Last name _____

First name _____

Middle name _____

Last name _____

First name _____

Middle name _____

Last name _____

3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)

XXX - XX - _____

OR

9 XX - XX - _____

XXX - XX - _____

OR

9 XX - XX - _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

About Debtor 1:**4. Any business names and Employer Identification Numbers (EIN) you have used in the last 8 years**Include trade names and *doing business as* names☐ I have not used any business names or EINs.

Business name

Business name

EIN

EIN

About Debtor 2 (Spouse Only In a Joint Case):☐ I have not used any business names or EINs.

Business name

Business name

EIN

EIN

5. Where you live

Number Street

City State ZIP Code

County

If your mailing address is different from the one above, fill it in here. Note that the court will send any notices to you at this mailing address.

Number Street

P.O. Box

City State ZIP Code

If Debtor 2 lives at a different address:

Number Street

City State ZIP Code

County

If Debtor 2's mailing address is different from yours, fill it in here. Note that the court will send any notices to this mailing address.

Number Street

P.O. Box

City State ZIP Code

6. Why you are choosing this district to file for bankruptcy**Check one:**☐ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.☐ I have another reason. Explain.
(See 28 U.S.C. § 1408.)**Check one:**☐ Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.☐ I have another reason. Explain.
(See 28 U.S.C. § 1408.)

Part 2: Tell the Court About Your Bankruptcy Case**7. The chapter of the Bankruptcy Code you are choosing to file under**

Check one. (For a brief description of each, see *Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy* (Form 2010)). Also, go to the top of page 1 and check the appropriate box.

- ☐ Chapter 7
- ☐ Chapter 11
- ☐ Chapter 12
- ☐ Chapter 13

8. How you will pay the fee

- ☐ **I will pay the entire fee when I file my petition.** Please check with the clerk's office in your local court for more details about how you may pay. Typically, if you are paying the fee yourself, you may pay with cash, cashier's check, or money order. If your attorney is submitting your payment on your behalf, your attorney may pay with a credit card or check with a pre-printed address.
- ☐ **I need to pay the fee in installments.** If you choose this option, sign and attach the *Application for Individuals to Pay The Filing Fee in Installments* (Official Form 103A).
- ☐ **I request that my fee be waived** (You may request this option only if you are filing for Chapter 7. By law, a judge may, but is not required to, waive your fee, and may do so only if your income is less than 150% of the official poverty line that applies to your family size and you are unable to pay the fee in installments). If you choose this option, you must fill out the *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B) and file it with your petition.

9. Have you filed for bankruptcy within the last 8 years?

- ☐ No
- ☐ Yes. District _____ When _____ Case number _____
MM / DD / YYYY
- District _____ When _____ Case number _____
MM / DD / YYYY
- District _____ When _____ Case number _____
MM / DD / YYYY

10. Are any bankruptcy cases pending or being filed by a spouse who is not filing this case with you, or by a business partner, or by an affiliate?

- ☐ No
- ☐ Yes. Debtor _____ Relationship to you _____
District _____ When _____ Case number, if known _____
MM / DD / YYYY
- Debtor _____ Relationship to you _____
District _____ When _____ Case number, if known _____
MM / DD / YYYY

11. Do you rent your residence?

- ☐ No. Go to line 12.
- ☐ Yes. Has your landlord obtained an eviction judgment against you?
- ☐ No. Go to line 12.
- ☐ Yes. Fill out *Initial Statement About an Eviction Judgment Against You* (Form 101A) and file it as part of this bankruptcy petition.

Part 3: Report About Any Businesses You Own as a Sole Proprietor**12. Are you a sole proprietor of any full- or part-time business?**

A sole proprietorship is a business you operate as an individual, and is not a separate legal entity such as a corporation, partnership, or LLC.

If you have more than one sole proprietorship, use a separate sheet and attach it to this petition.

- ☐ No. Go to Part 4.
- ☐ Yes. Name and location of business

Name of business, if any

Number Street

City

State

ZIP Code

Check the appropriate box to describe your business:

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ None of the above

13. Are you filing under Chapter 11 of the Bankruptcy Code, and are you a small business debtor or a debtor as defined by 11 U.S.C. § 1182(1)?

For a definition of *small business debtor*, see 11 U.S.C. § 101(51D).

If you are filing under Chapter 11, the court must know whether you are a small business debtor or a debtor choosing to proceed under Subchapter V so that it can set appropriate deadlines. If you indicate that you are a small business debtor or you are choosing to proceed under Subchapter V, you must attach your most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).

- ☐ No. I am not filing under Chapter 11.
- ☐ No. I am filing under Chapter 11, but I am NOT a small business debtor according to the definition in the Bankruptcy Code.
- ☐ Yes. I am filing under Chapter 11, I am a small business debtor according to the definition in the Bankruptcy Code, and I do not choose to proceed under Subchapter V of Chapter 11.
- ☐ Yes. I am filing under Chapter 11, I am a debtor according to the definition in § 1182(1) of the Bankruptcy Code, and I choose to proceed under Subchapter V of Chapter 11.

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Part 4: Report If You Own or Have Any Hazardous Property or Any Property That Needs Immediate Attention

14. Do you own or have any property that poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety? Or do you own any property that needs immediate attention?

☐ No

☐ Yes. What is the hazard?

If immediate attention is needed, why is it needed?

For example, do you own perishable goods, or livestock that must be fed, or a building that needs urgent repairs?

Where is the property?

Number

Street

City

State

ZIP Code

Part 5: Explain Your Efforts to Receive a Briefing About Credit Counseling**15. Tell the court whether you have received a briefing about credit counseling.**

The law requires that you receive a briefing about credit counseling before you file for bankruptcy. You must truthfully check one of the following choices. If you cannot do so, you are not eligible to file.

If you file anyway, the court can dismiss your case, you will lose whatever filing fee you paid, and your creditors can begin collection activities again.

About Debtor 1:

You must check one:

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

- ☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ I am not required to receive a briefing about credit counseling because of:

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

About Debtor 2 (Spouse Only in a Joint Case):

You must check one:

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, and I received a certificate of completion.

Attach a copy of the certificate and the payment plan, if any, that you developed with the agency.

- ☐ I received a briefing from an approved credit counseling agency within the 180 days before I filed this bankruptcy petition, but I do not have a certificate of completion.

Within 14 days after you file this bankruptcy petition, you MUST file a copy of the certificate and payment plan, if any.

- ☐ I certify that I asked for credit counseling services from an approved agency, but was unable to obtain those services during the 7 days after I made my request, and exigent circumstances merit a 30-day temporary waiver of the requirement.

To ask for a 30-day temporary waiver of the requirement, attach a separate sheet explaining what efforts you made to obtain the briefing, why you were unable to obtain it before you filed for bankruptcy, and what exigent circumstances required you to file this case.

Your case may be dismissed if the court is dissatisfied with your reasons for not receiving a briefing before you filed for bankruptcy.

If the court is satisfied with your reasons, you must still receive a briefing within 30 days after you file. You must file a certificate from the approved agency, along with a copy of the payment plan you developed, if any. If you do not do so, your case may be dismissed.

Any extension of the 30-day deadline is granted only for cause and is limited to a maximum of 15 days.

- ☐ I am not required to receive a briefing about credit counseling because of:

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.

- ☐ **Disability.** My physical disability causes me to be unable to participate in a briefing in person, by phone, or through the internet, even after I reasonably tried to do so.

- ☐ **Active duty.** I am currently on active military duty in a military combat zone.

If you believe you are not required to receive a briefing about credit counseling, you must file a motion for waiver of credit counseling with the court.

Part 6: Answer These Questions for Reporting Purposes**16. What kind of debts do you have?**

16a. Are your debts 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."

- ☐ No. Go to line 16b.
☐ Yes. Go to line 17.

16b. Are your debts primarily business debts? *Business debts* are debts that you incurred to obtain money for a business or investment or through the operation of the business or investment.

- ☐ No. Go to line 16c.
☐ Yes. Go to line 17.

16c. State the type of debts you owe that are not consumer debts or business debts.

17. Are you filing under Chapter 7?

☐ No. I am not filing under Chapter 7. Go to line 18.

Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available for distribution to unsecured creditors?

- ☐ Yes. I am filing under Chapter 7. Do you estimate that after any exempt property is excluded and administrative expenses are paid that funds will be available to distribute to unsecured creditors?
- ☐ No
☐ Yes

18. How many creditors do you estimate that you owe?

- | | | |
|----------------------------------|--|--|
| <input type="checkbox"/> 1-49 | <input type="checkbox"/> 1,000-5,000 | <input type="checkbox"/> 25,001-50,000 |
| <input type="checkbox"/> 50-99 | <input type="checkbox"/> 5,001-10,000 | <input type="checkbox"/> 50,001-100,000 |
| <input type="checkbox"/> 100-199 | <input type="checkbox"/> 10,001-25,000 | <input type="checkbox"/> More than 100,000 |
| <input type="checkbox"/> 200-999 | | |

19. How much do you estimate your assets to be worth?

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

20. How much do you estimate your liabilities to be?

- | | | |
|--|--|--|
| <input type="checkbox"/> \$0-\$50,000 | <input type="checkbox"/> \$1,000,001-\$10 million | <input type="checkbox"/> \$500,000,001-\$1 billion |
| <input type="checkbox"/> \$50,001-\$100,000 | <input type="checkbox"/> \$10,000,001-\$50 million | <input type="checkbox"/> \$1,000,000,001-\$10 billion |
| <input type="checkbox"/> \$100,001-\$500,000 | <input type="checkbox"/> \$50,000,001-\$100 million | <input type="checkbox"/> \$10,000,000,001-\$50 billion |
| <input type="checkbox"/> \$500,001-\$1 million | <input type="checkbox"/> \$100,000,001-\$500 million | <input type="checkbox"/> More than \$50 billion |

Part 7: Sign Below**For you**

I have examined this petition, and I declare under penalty of perjury that the information provided is true and correct.

If I have chosen to file under Chapter 7, I am aware that I may proceed, if eligible, under Chapter 7, 11, 12, or 13 of title 11, United States Code. I understand the relief available under each chapter, and I choose to proceed under Chapter 7.

If no attorney represents me and I did not pay or agree to pay someone who is not an attorney to help me fill out this document, I have obtained and read the notice required by 11 U.S.C. § 342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I understand 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.

X

Signature of Debtor 1

Executed on _____
MM / DD / YYYY

X

Signature of Debtor 2

Executed on _____
MM / DD / YYYY

Debtor 1

First Name

Middle Name

Last Name

Case number (if known)

For your attorney, if you are represented by one

If you are not represented by an attorney, you do not need to file this page.

I, the attorney for the debtor(s) named in this petition, declare that I have informed the debtor(s) about eligibility to proceed under Chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each chapter for which the person is eligible. I also certify that I have delivered to the debtor(s) the notice required by 11 U.S.C. § 342(b) and, in a case in which § 707(b)(4)(D) applies, certify that I have no knowledge after an inquiry that the information in the schedules filed with the petition is incorrect.

X

Signature of Attorney for Debtor

Date

MM / DD / YYYY

Printed name

Firm name

Number Street

City

State

ZIP Code

Contact phone

Email address

Bar number

State

For you if you are filing this bankruptcy without an attorney

If you are represented by an attorney, you do not need to file this page.

The law allows you, as an individual, to represent yourself in bankruptcy court, but **you should understand that many people find it extremely difficult to represent themselves successfully. Because bankruptcy has long-term financial and legal consequences, you are strongly urged to hire a qualified attorney.**

To be successful, you must correctly file and handle your bankruptcy case. The rules are very technical, and a mistake or inaction may affect your rights. For example, your case may be dismissed because you did not file a required document, pay a fee on time, attend a meeting or hearing, or cooperate with the court, case trustee, U.S. trustee, bankruptcy administrator, or audit firm if your case is selected for audit. If that happens, you could lose your right to file another case, or you may lose protections, including the benefit of the automatic stay.

You must list all your property and debts in the schedules that you are required to file with the court. Even if you plan to pay a particular debt outside of your bankruptcy, you must list that debt in your schedules. If you do not list a debt, the debt may not be discharged. If you do not list property or properly claim it as exempt, you may not be able to keep the property. The judge can also deny you a discharge of all your debts if you do something dishonest in your bankruptcy case, such as destroying or hiding property, falsifying records, or lying. Individual bankruptcy cases are randomly audited to determine if debtors have been accurate, truthful, and complete. **Bankruptcy fraud is a serious crime; you could be fined and imprisoned.**

If you decide to file without an attorney, the court expects you to follow the rules as if you had hired an attorney. The court will not treat you differently because you are filing for yourself. To be successful, you must be familiar with the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the local rules of the court in which your case is filed. You must also be familiar with any state exemption laws that apply.

Are you aware that filing for bankruptcy is a serious action with long-term financial and legal consequences?

- ☐ No
☐ Yes

Are you aware that bankruptcy fraud is a serious crime and that if your bankruptcy forms are inaccurate or incomplete, you could be fined or imprisoned?

- ☐ No
☐ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out your bankruptcy forms?

- ☐ No
☐ Yes. Name of Person _____

Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

By signing here, I acknowledge that I understand the risks involved in filing without an attorney. I have read and understood this notice, and I am aware that filing a bankruptcy case without an attorney may cause me to lose my rights or property if I do not properly handle the case.

X

Signature of Debtor 1

Date

MM / DD / YYYY

Contact phone

Cell phone

Email address

X

Signature of Debtor 2

Date

MM / DD / YYYY

Contact phone

Cell phone

Email address

Fill in this information to identify your case:

Debtor 1
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: District of (State)

Case number
(If known)

Official Form 101A

Initial Statement About an Eviction Judgment Against You

12/15

File this form with the court and serve a copy on your landlord when you first file bankruptcy only if:

- you rent your residence; and
- your landlord has obtained a judgment for possession in an eviction, unlawful detainer action, or similar proceeding (called *eviction judgment*) against you to possess your residence.

Landlord's name

Landlord's address

Number Street

City

State

ZIP Code

If you want to stay in your rented residence after you file your case for bankruptcy, also complete the certification below.

Certification About Applicable Law and Deposit of Rent

I certify under penalty of perjury that:

- ☐ Under the state or other nonbankruptcy law that applies to the judgment for possession (*eviction judgment*), I have the right to stay in my residence by paying my landlord the entire delinquent amount.
- ☐ I have given the bankruptcy court clerk a deposit for the rent that would be due during the 30 days after I file the *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101).

X

Signature of Debtor 1

X

Signature of Debtor 2

Date

MM / DD / YYYY

Date

MM / DD / YYYY

- Stay of Eviction:** (a) **First 30 days after bankruptcy.** If you checked both boxes above, signed the form to certify that both apply, and served your landlord with a copy of this statement, the automatic stay under 11 U.S.C. § 362(a)(3) will apply to the continuation of the eviction against you for 30 days after you file your *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101).
- (b) **Stay after the initial 30 days.** If you wish to stay in your residence after that 30-day period and continue to receive the protection of the automatic stay under 11 U.S.C. § 362(a)(3), you must pay the entire delinquent amount to your landlord as stated in the eviction judgment before the 30-day period ends. You must also fill out *Statement About Payment of an Eviction Judgment Against You* (Official Form 101B), file it with the bankruptcy court, and serve your landlord a copy of it before the 30-day period ends.

Check the Bankruptcy Rules (<http://www.uscourts.gov/rules-policies/current-rules-practice-procedure>) and the local court's website (to find your court's website, go to <http://www.uscourts.gov/court-locator>) for any specific requirements that you might have to meet to serve this statement. 11 U.S.C. §§ 362(b)(22) and 362(l)

Fill in this information to identify your case:

Debtor 1
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: District of

Case number
(if known)

☐ Check if this is an amended filing

Official Form 103A

Application for Individuals to Pay the Filing Fee in Installments

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information.

Part 1: Specify Your Proposed Payment Timetable

1. Which chapter of the Bankruptcy Code are you choosing to file under?

- ☐ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

2. You may apply to pay the filing fee in up to four installments. Fill in the amounts you propose to pay and the dates you plan to pay them. Be sure all dates are business days. Then add the payments you propose to pay.

You must propose to pay the entire fee no later than 120 days after you file this bankruptcy case. If the court approves your application, the court will set your final payment timetable.

You propose to pay...

\$

☐ With the filing of the petition

☐ On or before this date..... MM / DD / YYYY

\$

On or before this date..... MM / DD / YYYY

\$

On or before this date..... MM / DD / YYYY

+ \$

On or before this date..... MM / DD / YYYY

Total

\$

◀ Your total must equal the entire fee for the chapter you checked in line 1.

Part 2: Sign Below

By signing here, you state that you are unable to pay the full filing fee at once, that you want to pay the fee in installments, and that you understand that:

- You must pay your entire filing fee before you make any more payments or transfer any more property to an attorney, bankruptcy petition preparer, or anyone else for services in connection with your bankruptcy case.
- You must pay the entire fee no later than 120 days after you first file for bankruptcy, unless the court later extends your deadline. Your debts will not be discharged until your entire fee is paid.
- If you do not make any payment when it is due, your bankruptcy case may be dismissed, and your rights in other bankruptcy proceedings may be affected.

x
Signature of Debtor 1

x
Signature of Debtor 2

x
Your attorney's name and signature, if you used one

Date
MM / DD / YYYY

Date
MM / DD / YYYY

Date
MM / DD / YYYY

Fill in this information to identify the case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
 (if known)

Chapter filing under:

☐ Chapter 7
☐ Chapter 11
☐ Chapter 12
☐ Chapter 13

Order Approving Payment of Filing Fee in Installments

After considering the *Application for Individuals to Pay the Filing Fee in Installments* (Official Form 103A), the court orders that:

- ☐ The debtor(s) may pay the filing fee in installments on the terms proposed in the application.
- ☐ The debtor(s) must pay the filing fee according to the following terms:

| <u>You must pay...</u> | <u>On or before this date...</u> |
|------------------------|---|
| \$ _____ | _____/_____/_____ Month / day / year |
| \$ _____ | _____/_____/_____ Month / day / year |
| \$ _____ | _____/_____/_____ Month / day / year |
| + \$ _____ | _____/_____/_____ Month / day / year |
| Total | \$ _____ |

Until the filing fee is paid in full, the debtor(s) must not make any additional payment or transfer any additional property to an attorney or to anyone else for services in connection with this case.

 Month / day / year

By the court: _____
 United States Bankruptcy Judge

Fill in this information to identify your case:

| | | | |
|---|------------|-------------|-----------|
| Debtor 1 | First Name | Middle Name | Last Name |
| Debtor 2 (Spouse, if filing) | First Name | Middle Name | Last Name |
| United States Bankruptcy Court for the: _____ District of _____ | | | |
| Case number (if known) | _____ | | |

☐ Check if this is an amended filing

Official Form 103B

Application to Have the Chapter 7 Filing Fee Waived

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: Tell the Court About Your Family and Your Family's Income

1. What is the size of your family?

Your family includes you, your spouse, and any dependents listed on *Schedule J: Your Expenses* (Official Form 106J).

Check all that apply:

- ☐ You
☐ Your spouse
☐ Your dependents

How many dependents? _____

Total number of people _____

2. Fill in your family's average monthly income.

Include your spouse's income if your spouse is living with you, even if your spouse is not filing.

Do not include your spouse's income if you are separated and your spouse is not filing with you.

Add your income and your spouse's income. Include the value (if known) of any non-cash governmental assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies.

If you have already filled out *Schedule I: Your Income*, see line 10 of that schedule.

That person's average monthly net income (take-home pay)

You \$ _____

Your spouse + \$ _____

Subtotal \$ _____

Subtract any non-cash governmental assistance that you included above.

— \$ _____

Your family's average monthly net income

Total \$ _____

3. Do you receive non-cash governmental assistance?

- ☐ No
☐ Yes. Describe.....

Type of assistance

4. Do you expect your family's average monthly net income to increase or decrease by more than 10% during the next 6 months?

- ☐ No
☐ Yes. Explain.....

5. Tell the court why you are unable to pay the filing fee in installments within 120 days. If you have some additional circumstances that cause you to not be able to pay your filing fee in installments, explain them.

First Name _____ Middle Name _____ Last Name _____

Part 2: Tell the Court About Your Monthly Expenses**6. Estimate your average monthly expenses.**

Include amounts paid by any government assistance that you reported on line 2.

\$ _____

If you have already filled out *Schedule J, Your Expenses*, copy line 22 from that form.**7. Do these expenses cover anyone who is not included in your family as reported in line 1?**☐ No☐ Yes. Identify who **8. Does anyone other than you regularly pay any of these expenses?**☐ No☐ Yes. How much do you regularly receive as contributions? \$ _____ monthlyIf you have already filled out *Schedule I: Your Income*, copy the total from line 11.**9. Do you expect your average monthly expenses to increase or decrease by more than 10% during the next 6 months?**☐ No☐ Yes. Explain **Part 3: Tell the Court About Your Property**If you have already filled out *Schedule A/B: Property (Official Form 106A/B)* attach copies to this application and go to Part 4.**10. How much cash do you have?***Examples:* Money you have in your wallet, in your home, and on hand when you file this application

Cash: \$ _____

11. Bank accounts and other deposits of money?*Examples:* Checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, and other similar institutions. If you have more than one account with the same institution, list each. Do not include 401(k) and IRA accounts.

| | Institution name: | Amount: |
|---------------------------|-------------------|----------|
| Checking account: | _____ | \$ _____ |
| Savings account: | _____ | \$ _____ |
| Other financial accounts: | _____ | \$ _____ |
| Other financial accounts: | _____ | \$ _____ |

12. Your home? (if you own it outright or are purchasing it)*Examples:* House, condominium, manufactured home, or mobile home

| | | | |
|--------|----------|---------------------------------------|----------|
| Number | Street | Current value: | \$ _____ |
| City | State | Amount you owe on mortgage and liens: | \$ _____ |
| | ZIP Code | | |

13. Other real estate?

| | | | |
|--------|----------|---------------------------------------|----------|
| Number | Street | Current value: | \$ _____ |
| City | State | Amount you owe on mortgage and liens: | \$ _____ |
| | ZIP Code | | |

14. The vehicles you own?*Examples:* Cars, vans, trucks, sports utility vehicles, motorcycles, tractors, boats

| | | | |
|----------|-------|--------------------------|----------|
| Make: | _____ | Current value: | \$ _____ |
| Model: | _____ | Amount you owe on liens: | \$ _____ |
| Year: | _____ | | |
| Mileage: | _____ | | |
| Make: | _____ | Current value: | \$ _____ |
| Model: | _____ | Amount you owe on liens: | \$ _____ |
| Year: | _____ | | |
| Mileage: | _____ | | |

Debtor 1

First Name Middle Name Last Name

Case number (if known)

15. Other assets?

Describe the other assets:

Do not include household items and clothing.

Current value: \$

Amount you owe on liens: \$

16. Money or property due you?

Who owes you the money or property?

How much is owed?

Do you believe you will likely receive payment in the next 180 days?

Examples: Tax refunds, past due or lump sum alimony, spousal support, child support, maintenance, divorce or property settlements, Social Security benefits, workers' compensation, personal injury recovery

\$

☐ No☐ Yes. Explain:**Part 4: Answer These Additional Questions**

17. Have you paid anyone for services for this case, including filling out this application, the bankruptcy filing package, or the schedules?

☐ No
☐ Yes. Whom did you pay? Check all that apply:
☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else

How much did you pay?

\$

18. Have you promised to pay or do you expect to pay someone for services for your bankruptcy case?

☐ No
☐ Yes. Whom do you expect to pay? Check all that apply:
☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else

How much do you expect to pay?

\$

19. Has anyone paid someone on your behalf for services for this case?

☐ No
☐ Yes. Who was paid on your behalf? Check all that apply:
☐ An attorney☐ A bankruptcy petition preparer, paralegal, or typing service☐ Someone else

Who paid?

Check all that apply:

☐ Parent☐ Brother or sister☐ Friend☐ Pastor or clergy☐ Someone else

How much did someone else pay?

\$

20. Have you filed for bankruptcy within the last 8 years?

☐ No
☐ Yes. District

District

When MM/ DD/ YYYY Case number

When MM/ DD/ YYYY Case number

When MM/ DD/ YYYY Case number

Part 5: Sign Below

By signing here under penalty of perjury, I declare that I cannot afford to pay the filing fee either in full or in installments. I also declare that the information I provided in this application is true and correct.

X

Signature of Debtor 1

Date MM / DD / YYYY

X

Signature of Debtor 2

Date MM / DD / YYYY

Fill in this information to identify the case:

Debtor 1
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: District of

Case number
(if known)

Order on the Application to Have the Chapter 7 Filing Fee Waived

After considering the debtor's *Application to Have the Chapter 7 Filing Fee Waived* (Official Form 103B), the court orders that the application is:

- ☐ **Granted.** However, the court may order the debtor to pay the fee in the future if developments in administering the bankruptcy case show that the waiver was unwarranted.
- ☐ **Denied.** The debtor must pay the filing fee according to the following terms:

| You must pay... | On or before this date... |
|-----------------|---------------------------|
| \$ | Month / day / year |
| \$ | Month / day / year |
| \$ | Month / day / year |
| + \$ | Month / day / year |
| Total | |

If the debtor would like to propose a different payment timetable, the debtor must file a motion promptly with a payment proposal. The debtor may use *Application for Individuals to Pay the Filing Fee in Installments* (Official Form 103A) for this purpose. The court will consider it.

The debtor must pay the entire filing fee before making any more payments or transferring any more property to an attorney, bankruptcy petition preparer, or anyone else in connection with the bankruptcy case. The debtor must also pay the entire filing fee to receive a discharge. If the debtor does not make any payment when it is due, the bankruptcy case may be dismissed and the debtor's rights in future bankruptcy cases may be affected.

- ☐ **Scheduled for hearing.**

A hearing to consider the debtor's application will be held

on at AM / PM at
Month / day / year Address of courthouse

If the debtor does not appear at this hearing, the court may deny the application.

By the court: United States Bankruptcy Judge
Month / day / year

Fill in this information to identify your case:

Debtor 1

First Name Middle Name Last Name

Debtor 2

(Spouse, if filing)

First Name Middle Name Last Name

United States Bankruptcy Court for the: District of

Case number
(if known)

☐ Check if this is an amended filing

Official Form 106Sum

Summary of Your Assets and Liabilities and Certain Statistical Information 12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Fill out all of your schedules first; then complete the information on this form. If you are filing amended schedules after you file your original forms, you must fill out a new *Summary* and check the box at the top of this page.

Part 1: Summarize Your Assets

Your assets
Value of what you own

1. Schedule A/B: Property (Official Form 106A/B)

1a. Copy line 55, Total real estate, from Schedule A/B \$

1b. Copy line 62, Total personal property, from Schedule A/B \$

1c. Copy line 63, Total of all property on Schedule A/B \$

Part 2: Summarize Your Liabilities

Your liabilities
Amount you owe

2. Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D)

2a. Copy the total you listed in Column A, Amount of claim, at the bottom of the last page of Part 1 of Schedule D \$

3. Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 106E/F)

3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of Schedule E/F \$

3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of Schedule E/F + \$

Your total liabilities \$

Part 3: Summarize Your Income and Expenses

4. Schedule I: Your Income (Official Form 106I)

Copy your combined monthly income from line 12 of Schedule I \$

5. Schedule J: Your Expenses (Official Form 106J)

Copy your monthly expenses from line 22c of Schedule J \$

Debtor 1

First Name

Middle Name

Last Name

Case number (if known)

Part 4: Answer These Questions for Administrative and Statistical Records**6. Are you filing for bankruptcy under Chapters 7, 11, or 13?**

- ☐ No. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.
- ☐ Yes

7. What kind of debt do you have?

- ☐ Your debts are primarily consumer debts. *Consumer debts* are those "incurred by an individual primarily for a personal, family, or household purpose." 11 U.S.C. § 101(8). Fill out lines 8-9g for statistical purposes. 28 U.S.C. § 159.
- ☐ Your debts are not primarily consumer debts. You have nothing to report on this part of the form. Check this box and submit this form to the court with your other schedules.

8. From the Statement of Your Current Monthly Income: Copy your total current monthly income from Official Form 122A-1 Line 11; OR, Form 122B Line 11; OR, Form 122C-1 Line 14.

\$ _____

9. Copy the following special categories of claims from Part 4, line 6 of Schedule E/F:**Total claim**

From Part 4 on Schedule E/F, copy the following:

9a. Domestic support obligations (Copy line 6a.)

\$ _____

9b. Taxes and certain other debts you owe the government. (Copy line 6b.)

\$ _____

9c. Claims for death or personal injury while you were intoxicated. (Copy line 6c.)

\$ _____

9d. Student loans. (Copy line 6f.)

\$ _____

9e. Obligations arising out of a separation agreement or divorce that you did not report as priority claims. (Copy line 6g.)

\$ _____

9f. Debts to pension or profit-sharing plans, and other similar debts. (Copy line 6h.)

+ \$ _____

9g. Total. Add lines 9a through 9f.

\$ _____

Fill in this information to identify your case and this filing:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____

☐ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☐ No. Go to Part 2.
- ☐ Yes. Where is the property?

1.1. _____
Street address, if available, or other description

City State ZIP Code

County

What is the property? Check all that apply.

- ☐ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other _____

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$ _____ \$ _____

Describe the nature of your ownership interest (such as fee simple, tenancy by the entirety, or a life estate), if known.

☐ Check if this is community property (see instructions)

If you own or have more than one, list here:

1.2. _____
Street address, if available, or other description

City State ZIP Code

County

What is the property? Check all that apply.

- ☐ Single-family home
- ☐ Duplex or multi-unit building
- ☐ Condominium or cooperative
- ☐ Manufactured or mobile home
- ☐ Land
- ☐ Investment property
- ☐ Timeshare
- ☐ Other _____

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☐ At least one of the debtors and another

Other information you wish to add about this item, such as local property identification number: _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$ _____ \$ _____

Describe the nature of your ownership interest (such as fee simple, tenancy by the entirety, or a life estate), if known.

☐ Check if this is community property (see instructions)

1.3.

Street address, if available, or other description

City

State

ZIP Code

County

What is the property? Check all that apply.

- ☐ Single-family home
☐ Duplex or multi-unit building
☐ Condominium or cooperative
☐ Manufactured or mobile home
☐ Land
☐ Investment property
☐ Timeshare
☐ Other _____

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$ _____

\$ _____

Describe the nature of your ownership interest (such as fee simple, tenancy by the entireties, or a life estate), if known.

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Other information you wish to add about this item, such as local property identification number: _____

2. Add the dollar value of the portion you own for all of your entries from Part 1, including any entries for pages you have attached for Part 1. Write that number here. →

\$ _____

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

- ☐ No
☐ Yes

3.1. Make: _____

Model: _____

Year: _____

Approximate mileage: _____

Other information: _____

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$ _____

\$ _____

☐ Check if this is community property (see instructions)

If you own or have more than one, describe here:

3.2. Make: _____

Model: _____

Year: _____

Approximate mileage: _____

Other information: _____

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$ _____

\$ _____

☐ Check if this is community property (see instructions)

Debtor 1

Case number (if known) _____

First Name _____ Middle Name _____ Last Name _____

3.3. Make: _____
 Model: _____
 Year: _____
 Approximate mileage: _____
 Other information:

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? _____
 Current value of the portion you own? _____

☐ Check if this is community property (see instructions)

\$ _____ \$ _____

3.4. Make: _____
 Model: _____
 Year: _____
 Approximate mileage: _____
 Other information:

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? _____
 Current value of the portion you own? _____

☐ Check if this is community property (see instructions)

\$ _____ \$ _____

4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☐ No
☐ Yes

4.1. Make: _____
 Model: _____
 Year: _____
 Other information:

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? _____
 Current value of the portion you own? _____

☐ Check if this is community property (see instructions)

\$ _____ \$ _____

If you own or have more than one, list here:

4.2. Make: _____
 Model: _____
 Year: _____
 Other information:

Who has an interest in the property? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? _____
 Current value of the portion you own? _____

☐ Check if this is community property (see instructions)

\$ _____ \$ _____

5. Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here _____

\$ _____

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the
portion you own?
Do not deduct secured claims
or exemptions.**6. Household goods and furnishings**

Examples: Major appliances, furniture, linens, china, kitchenware

☐ No☐ Yes. Describe.....

\$

7. Electronics

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☐ No☐ Yes. Describe.....

\$

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☐ No☐ Yes. Describe.....

\$

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☐ No☐ Yes. Describe.....

\$

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☐ No☐ Yes. Describe.....

\$

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No☐ Yes. Describe.....

\$

12. Jewelry

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No☐ Yes. Describe.....

\$

13. Non-farm animals

Examples: Dogs, cats, birds, horses

☐ No☐ Yes. Describe.....

\$

14. Any other personal and household items you did not already list, including any health aids you did not list☐ No☐ Yes. Give specific
information.....

\$

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$

Part 4: Describe Your Financial Assets

Do you own or have any legal or equitable interest in any of the following?

Current value of the
portion you own?
Do not deduct secured claims
or exemptions.**16. Cash**

Examples: Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition

☐ No☐ Yes

Cash: \$

17. Deposits of money

Examples: Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.

☐ No☐ Yes

Institution name:

| | | |
|--------------------------------|--|----|
| 17.1. Checking account: | | \$ |
| 17.2. Checking account: | | \$ |
| 17.3. Savings account: | | \$ |
| 17.4. Savings account: | | \$ |
| 17.5. Certificates of deposit: | | \$ |
| 17.6. Other financial account: | | \$ |
| 17.7. Other financial account: | | \$ |
| 17.8. Other financial account: | | \$ |
| 17.9. Other financial account: | | \$ |

18. Bonds, mutual funds, or publicly traded stocks

Examples: Bond funds, investment accounts with brokerage firms, money market accounts

☐ No☐ Yes

Institution or Issuer name:

| | |
|--|----|
| | \$ |
| | \$ |
| | \$ |

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture☐ No☐ Yes. Give specific
information about
them.....

Name of entity:

% of ownership:

| | | | |
|--|----|---|----|
| | 0% | % | \$ |
| | 0% | % | \$ |
| | 0% | % | \$ |

20. Government and corporate bonds and other negotiable and non-negotiable instruments

Negotiable instruments include personal checks, cashiers' checks, promissory notes, and money orders.
Non-negotiable instruments are those you cannot transfer to someone by signing or delivering them.

☐ No☐ Yes. Give specific information about them.....

Issuer name:

\$ _____
 \$ _____
 \$ _____

21. Retirement or pension accounts

Examples: Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans

☐ No☐ Yes. List each account separately.

Type of account:

Institution name:

401(k) or similar plan:

Pension plan:

IRA:

Retirement account:

Keogh:

Additional account:

Additional account:

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

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company
Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

☐ No☐ Yes

Institution name or individual:

Electric:

Gas:

Heating oil:

Security deposit on rental unit:

Prepaid rent:

Telephone:

Water:

Rented furniture:

Other:

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

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years)☐ No☐ Yes

Issuer name and description:

\$ _____
 \$ _____
 \$ _____

24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☐ No☐ Yes Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):

| | |
|-------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |

25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit☐ No☐ Yes. Give specific

information about them....

| | |
|-------|----------|
| _____ | \$ _____ |
|-------|----------|

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

☐ No☐ Yes. Give specific

information about them....

| | |
|-------|----------|
| _____ | \$ _____ |
|-------|----------|

27. Licenses, franchises, and other general intangibles

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

☐ No☐ Yes. Give specific

information about them....

| | |
|-------|----------|
| _____ | \$ _____ |
|-------|----------|

Money or property owed to you?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

28. Tax refunds owed to you☐ No☐ Yes. Give specific information about them, including whether you already filed the returns and the tax years.

| |
|--|
| |
|--|

| | |
|----------|----------|
| Federal: | \$ _____ |
| State: | \$ _____ |
| Local: | \$ _____ |

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

☐ No☐ Yes. Give specific information.

| |
|--|
| |
|--|

| | |
|----------------------|----------|
| Alimony: | \$ _____ |
| Maintenance: | \$ _____ |
| Support: | \$ _____ |
| Divorce settlement: | \$ _____ |
| Property settlement: | \$ _____ |

30. Other amounts someone owes you

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

☐ No☐ Yes. Give specific information.

| | |
|-------|----------|
| _____ | \$ _____ |
|-------|----------|

31. Interests in Insurance policies

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

☐ No☐ Yes. Name the insurance company of each policy and list its value. ...

Company name:

Beneficiary:

Surrender or refund value:

\$ _____

\$ _____

\$ _____

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☐ No☐ Yes. Give specific information.

\$ _____

33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment

Examples: Accidents, employment disputes, insurance claims, or rights to sue

☐ No☐ Yes. Describe each claim.

\$ _____

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims☐ No☐ Yes. Describe each claim.

\$ _____

35. Any financial assets you did not already list☐ No☐ Yes. Give specific information.

\$ _____

36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here

\$ _____

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.**37. Do you own or have any legal or equitable interest in any business-related property?**☐ No. Go to Part 6.☐ Yes. Go to line 38.

Current value of the portion you own?
Do not deduct secured claims or exemptions.

38. Accounts receivable or commissions you already earned☐ No☐ Yes. Describe.

\$ _____

39. Office equipment, furnishings, and supplies

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

☐ No☐ Yes. Describe.

\$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade☐ No☐ Yes. Describe

\$

41. Inventory☐ No☐ Yes. Describe

\$

42. Interests in partnerships or joint ventures☐ No☐ Yes. Describe

Name of entity:

% of ownership:

%

\$

%

\$

%

\$

43. Customer lists, mailing lists, or other compilations☐ No☐ Yes. Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?☐ No☐ Yes. Describe

\$

44. Any business-related property you did not already list☐ No☐ Yes. Give specific information

\$

\$

\$

\$

\$

\$

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here

\$

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
If you own or have an interest in farmland, list it in Part 1.**46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?**☐ No. Go to Part 7.☐ Yes. Go to line 47.**Current value of the portion you own?**

Do not deduct secured claims or exemptions.

47. Farm animals

Examples: Livestock, poultry, farm-raised fish

☐ No☐ Yes

\$

Debtor 1

First Name Middle Name Last Name

Case number (if known)

48. Crops—either growing or harvested☐ No☐ Yes. Give specific information.

\$

49. Farm and fishing equipment, implements, machinery, fixtures, and tools of trade☐ No☐ Yes

\$

50. Farm and fishing supplies, chemicals, and feed☐ No☐ Yes

\$

51. Any farm- and commercial fishing-related property you did not already list☐ No☐ Yes. Give specific information.

\$

52. Add the dollar value of all of your entries from Part 6, including any entries for pages you have attached for Part 6. Write that number here →

\$

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above**53. Do you have other property of any kind you did not already list?***Examples: Season tickets, country club membership*☐ No☐ Yes. Give specific information.

\$

\$

\$

54. Add the dollar value of all of your entries from Part 7. Write that number here →

\$

Part 8: List the Totals of Each Part of this Form**55. Part 1: Total real estate, line 2** →

\$

56. Part 2: Total vehicles, line 5

\$

57. Part 3: Total personal and household items, line 15

\$

58. Part 4: Total financial assets, line 36

\$

59. Part 5: Total business-related property, line 45

\$

60. Part 6: Total farm- and fishing-related property, line 52

\$

61. Part 7: Total other property not listed, line 54

+ \$

62. Total personal property. Add lines 56 through 61.

\$

Copy personal property total → + \$

63. Total of all property on Schedule A/B. Add line 55 + line 62.

\$

Fill in this information to identify your case:Debtor 1
First Name Middle Name Last NameDebtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: District of

Case number
(If known)☐ Check if this is an
amended filing**Official Form 106C****Schedule C: The Property You Claim as Exempt**

04/16

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

- ☐ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

| Brief description of the property and line on <i>Schedule A/B</i> that lists this property | Current value of the portion you own | Amount of the exemption you claim | Specific laws that allow exemption |
|---|--|--|------------------------------------|
| | Copy the value from <i>Schedule A/B</i> | Check only one box for each exemption. | |
| Brief description: _____ Line from <i>Schedule A/B</i> : _____ | \$ _____ | <input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit | _____ |
| Brief description: _____ Line from <i>Schedule A/B</i> : _____ | \$ _____ | <input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit | _____ |
| Brief description: _____ Line from <i>Schedule A/B</i> : _____ | \$ _____ | <input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit | _____ |

3. Are you claiming a homestead exemption of more than \$160,375?

(Subject to adjustment on 4/01/19 and every 3 years after that for cases filed on or after the date of adjustment.)

- ☐ No
☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
☐ No
☐ Yes

Part 2: Additional Page

Brief description of the property and line on Schedule A/B that lists this property

Current value of the portion you own

Amount of the exemption you claim

Specific laws that allow exemption

Copy the value from Schedule A/B

Check only one box for each exemption

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Brief description: _____

\$ _____

☐ \$ _____

Line from Schedule A/B: _____

☐ 100% of fair market value, up to any applicable statutory limit

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
 (If known)

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☐ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

- 2. List all secured claims.** If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

| Column A Amount of claim Do not deduct the value of collateral. | Column B Value of collateral that supports this claim | Column C Unsecured portion If any |
|--|--|--|
|--|--|--|

| | | |
|---|---|---|
| <p>2.1</p> <p>Creditor's Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Who owes the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim relates to a community debt</p> <p>Date debt was incurred _____</p> | <p>Describe the property that secures the claim: \$ _____ \$ _____ \$ _____</p> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Nature of lien. Check all that apply.</p> <p><input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)</p> <p><input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)</p> <p><input type="checkbox"/> Judgment lien from a lawsuit</p> <p><input type="checkbox"/> Other (including a right to offset) _____</p> <p>Last 4 digits of account number _____</p> | <p>Amount of claim \$ _____</p> <p>Value of collateral \$ _____</p> <p>Unsecured portion \$ _____</p> |
| <p>2.2</p> <p>Creditor's Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p>Who owes the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim relates to a community debt</p> <p>Date debt was incurred _____</p> | <p>Describe the property that secures the claim: \$ _____ \$ _____ \$ _____</p> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Nature of lien. Check all that apply.</p> <p><input type="checkbox"/> An agreement you made (such as mortgage or secured car loan)</p> <p><input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien)</p> <p><input type="checkbox"/> Judgment lien from a lawsuit</p> <p><input type="checkbox"/> Other (including a right to offset) _____</p> <p>Last 4 digits of account number _____</p> | <p>Amount of claim \$ _____</p> <p>Value of collateral \$ _____</p> <p>Unsecured portion \$ _____</p> |

Add the dollar value of your entries in Column A on this page. Write that number here: \$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known) _____

Part 1:**Additional Page**

After listing any entries on this page, number them beginning with 2.3, followed by 2.4, and so forth.

Column A

Amount of claim.
Do not deduct the
value of collateral.

Column B

Value of collateral
that supports this
claim

Column C

Unsecured
portion
If any

Describe the property that secures the claim:

\$ _____ \$ _____ \$ _____

Creditor's Name

Number Street

City State ZIP Code

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☐ Other (including a right to offset) _____

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Date debt was incurred _____

Last 4 digits of account number _____

Describe the property that secures the claim:

\$ _____ \$ _____ \$ _____

Creditor's Name

Number Street

City State ZIP Code

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☐ Other (including a right to offset) _____

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Date debt was incurred _____

Last 4 digits of account number _____

Describe the property that secures the claim:

\$ _____ \$ _____ \$ _____

Creditor's Name

Number Street

City State ZIP Code

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☐ Other (including a right to offset) _____

Who owes the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Date debt was incurred _____

Last 4 digits of account number _____

Add the dollar value of your entries in Column A on this page. Write that number here:

\$ _____

If this is the last page of your form, add the dollar value totals from all pages.

Write that number here:

\$ _____

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

| | | |
|--------------------------|--|--|
| <input type="checkbox"/> | Name Number Street City State ZIP Code | On which line in Part 1 did you enter the creditor? ____ Last 4 digits of account number ____ _ _ _ |
| <input type="checkbox"/> | Name Number Street City State ZIP Code | On which line in Part 1 did you enter the creditor? ____ Last 4 digits of account number ____ _ _ _ |
| <input type="checkbox"/> | Name Number Street City State ZIP Code | On which line in Part 1 did you enter the creditor? ____ Last 4 digits of account number ____ _ _ _ |
| <input type="checkbox"/> | Name Number Street City State ZIP Code | On which line in Part 1 did you enter the creditor? ____ Last 4 digits of account number ____ _ _ _ |
| <input type="checkbox"/> | Name Number Street City State ZIP Code | On which line in Part 1 did you enter the creditor? ____ Last 4 digits of account number ____ _ _ _ |
| <input type="checkbox"/> | Name Number Street City State ZIP Code | On which line in Part 1 did you enter the creditor? ____ Last 4 digits of account number ____ _ _ _ |

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
(if known)

☐ Check if this is an amended filing

Official Form 106E/F

Schedule E/F: Creditors Who Have Unsecured Claims

12/15

Be as complete and accurate as possible. Use Part 1 for creditors with PRIORITY claims and Part 2 for creditors with NONPRIORITY claims. List the other party to any executory contracts or unexpired leases that could result in a claim. Also list executory contracts on *Schedule A/B: Property* (Official Form 106A/B) and on *Schedule G: Executory Contracts and Unexpired Leases* (Official Form 106G). Do not include any creditors with partially secured claims that are listed in *Schedule D: Creditors Who Have Claims Secured by Property*. If more space is needed, copy the Part you need, fill it out, number the entries in the boxes on the left. Attach the Continuation Page to this page. On the top of any additional pages, write your name and case number (if known).

Part 1: List All of Your PRIORITY Unsecured Claims

1. Do any creditors have priority unsecured claims against you?

- ☐ No. Go to Part 2.
☐ Yes.

2. List all of your priority unsecured claims. If a creditor has more than one priority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. If a claim has both priority and nonpriority amounts, list that claim here and show both priority and nonpriority amounts. As much as possible, list the claims in alphabetical order according to the creditor's name. If you have more than two priority unsecured claims, fill out the Continuation Page of Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3.

(For an explanation of each type of claim, see the instructions for this form in the instruction booklet.)

| Total claim | Priority amount | Nonpriority amount |
|-------------|-----------------|--------------------|
|-------------|-----------------|--------------------|

2.1

Priority Creditor's Name _____

Last 4 digits of account number _____ \$ _____ \$ _____ \$ _____

Number _____ Street _____

When was the debt incurred? _____

City _____ State _____ ZIP Code _____

As of the date you file, the claim is: Check all that apply.

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of PRIORITY unsecured claim:

- ☐ Domestic support obligations
☐ Taxes and certain other debts you owe the government
☐ Claims for death or personal injury while you were intoxicated
☐ Other. Specify _____

Is the claim subject to offset?

- ☐ No
☐ Yes

2.2

Priority Creditor's Name _____

Last 4 digits of account number _____ \$ _____ \$ _____ \$ _____

Number _____ Street _____

When was the debt incurred? _____

City _____ State _____ ZIP Code _____

As of the date you file, the claim is: Check all that apply.

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim is for a community debt

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of PRIORITY unsecured claim:

- ☐ Domestic support obligations
☐ Taxes and certain other debts you owe the government
☐ Claims for death or personal injury while you were intoxicated
☐ Other. Specify _____

Is the claim subject to offset?

- ☐ No
☐ Yes

Debtor 1

First Name _____ Middle Name _____ Last Name _____

Case number (if known) _____

Part 1: Your PRIORITY Unsecured Claims – Continuation Page

After listing any entries on this page, number them beginning with 2.3, followed by 2.4, and so forth.

| Total claim | Priority amount | Nonpriority amount |
|-------------|-----------------|--------------------|
|-------------|-----------------|--------------------|

| | | |
|---|---|---|
| <div style="border: 1px solid black; width: 20px; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Priority Creditor's Name</div> <div style="display: flex; justify-content: space-between;"> <div style="border-bottom: 1px solid black; width: 150px; margin-bottom: 5px;">Number</div> <div style="border-bottom: 1px solid black; width: 150px; margin-bottom: 5px;">Street</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 100px; margin-bottom: 5px;">City</div> <div style="border-bottom: 1px solid black; width: 50px; margin-bottom: 5px;">State</div> <div style="border-bottom: 1px solid black; width: 100px; margin-bottom: 5px;">ZIP Code</div> </div> <p>Who incurred the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim is for a community debt</p> <p>Is the claim subject to offset?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> | <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Last 4 digits of account number</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">When was the debt incurred?</div> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Type of PRIORITY unsecured claim:</p> <p><input type="checkbox"/> Domestic support obligations</p> <p><input type="checkbox"/> Taxes and certain other debts you owe the government</p> <p><input type="checkbox"/> Claims for death or personal injury while you were intoxicated</p> <p><input type="checkbox"/> Other. Specify _____</p> | <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> |
| <div style="border: 1px solid black; width: 20px; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Priority Creditor's Name</div> <div style="display: flex; justify-content: space-between;"> <div style="border-bottom: 1px solid black; width: 150px; margin-bottom: 5px;">Number</div> <div style="border-bottom: 1px solid black; width: 150px; margin-bottom: 5px;">Street</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 100px; margin-bottom: 5px;">City</div> <div style="border-bottom: 1px solid black; width: 50px; margin-bottom: 5px;">State</div> <div style="border-bottom: 1px solid black; width: 100px; margin-bottom: 5px;">ZIP Code</div> </div> <p>Who incurred the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim is for a community debt</p> <p>Is the claim subject to offset?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> | <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Last 4 digits of account number</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">When was the debt incurred?</div> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Type of PRIORITY unsecured claim:</p> <p><input type="checkbox"/> Domestic support obligations</p> <p><input type="checkbox"/> Taxes and certain other debts you owe the government</p> <p><input type="checkbox"/> Claims for death or personal injury while you were intoxicated</p> <p><input type="checkbox"/> Other. Specify _____</p> | <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> |
| <div style="border: 1px solid black; width: 20px; height: 20px; margin-bottom: 5px;"></div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Priority Creditor's Name</div> <div style="display: flex; justify-content: space-between;"> <div style="border-bottom: 1px solid black; width: 150px; margin-bottom: 5px;">Number</div> <div style="border-bottom: 1px solid black; width: 150px; margin-bottom: 5px;">Street</div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="border-bottom: 1px solid black; width: 100px; margin-bottom: 5px;">City</div> <div style="border-bottom: 1px solid black; width: 50px; margin-bottom: 5px;">State</div> <div style="border-bottom: 1px solid black; width: 100px; margin-bottom: 5px;">ZIP Code</div> </div> <p>Who incurred the debt? Check one.</p> <p><input type="checkbox"/> Debtor 1 only</p> <p><input type="checkbox"/> Debtor 2 only</p> <p><input type="checkbox"/> Debtor 1 and Debtor 2 only</p> <p><input type="checkbox"/> At least one of the debtors and another</p> <p><input type="checkbox"/> Check if this claim is for a community debt</p> <p>Is the claim subject to offset?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p> | <div style="border-bottom: 1px solid black; margin-bottom: 5px;">Last 4 digits of account number</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">When was the debt incurred?</div> <p>As of the date you file, the claim is: Check all that apply.</p> <p><input type="checkbox"/> Contingent</p> <p><input type="checkbox"/> Unliquidated</p> <p><input type="checkbox"/> Disputed</p> <p>Type of PRIORITY unsecured claim:</p> <p><input type="checkbox"/> Domestic support obligations</p> <p><input type="checkbox"/> Taxes and certain other debts you owe the government</p> <p><input type="checkbox"/> Claims for death or personal injury while you were intoxicated</p> <p><input type="checkbox"/> Other. Specify _____</p> | <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> <div style="border-bottom: 1px solid black; margin-bottom: 5px;">\$ _____</div> |

Part 2: List All of Your NONPRIORITY Unsecured Claims**3. Do any creditors have nonpriority unsecured claims against you?**

- ☐ No. You have nothing to report in this part. Submit this form to the court with your other schedules.
☐ Yes

4. List all of your nonpriority unsecured claims in the alphabetical order of the creditor who holds each claim. If a creditor has more than one nonpriority unsecured claim, list the creditor separately for each claim. For each claim listed, identify what type of claim it is. Do not list claims already included in Part 1. If more than one creditor holds a particular claim, list the other creditors in Part 3. If you have more than three nonpriority unsecured claims fill out the Continuation Page of Part 2.

Total claim

4.1

Nonpriority Creditor's Name

Last 4 digits of account number

\$

When was the debt incurred?

Number Street

City State ZIP Code

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☐ Other. Specify

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☐ Yes

4.2

Nonpriority Creditor's Name

Last 4 digits of account number

\$

When was the debt incurred?

Number Street

City State ZIP Code

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☐ Other. Specify

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☐ Yes

4.3

Nonpriority Creditor's Name

Last 4 digits of account number

\$

When was the debt incurred?

Number Street

City State ZIP Code

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☐ Other. Specify

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☐ Yes

Part 2: Your NONPRIORITY Unsecured Claims – Continuation Page

After listing any entries on this page, number them beginning with 4.4, followed by 4.5, and so forth.

Total claim

☐

Nonpriority Creditor's Name

Number Street

City State ZIP Code

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☐ Yes

Last 4 digits of account number _____ \$ _____

When was the debt incurred? _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☐ Other. Specify _____

☐

Nonpriority Creditor's Name

Number Street

City State ZIP Code

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☐ Yes

Last 4 digits of account number _____ \$ _____

When was the debt incurred? _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☐ Other. Specify _____

☐

Nonpriority Creditor's Name

Number Street

City State ZIP Code

Who incurred the debt? Check one.

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this claim is for a community debt

Is the claim subject to offset?

- ☐ No
☐ Yes

Last 4 digits of account number _____ \$ _____

When was the debt incurred? _____

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Type of NONPRIORITY unsecured claim:

- ☐ Student loans
☐ Obligations arising out of a separation agreement or divorce that you did not report as priority claims
☐ Debts to pension or profit-sharing plans, and other similar debts
☐ Other. Specify _____

Part 3: List Others to Be Notified About a Debt That You Already Listed

6. Use this page only if you have others to be notified about your bankruptcy, for a debt that you already listed in Parts 1 or 2. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the original creditor in Parts 1 or 2, then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Parts 1 or 2, list the additional creditors here. If you do not have additional persons to be notified for any debts in Parts 1 or 2, do not fill out or submit this page.

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

Name _____

Number _____ Street _____

City _____ State _____ ZIP Code _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

On which entry in Part 1 or Part 2 did you list the original creditor?

Line _____ of (Check one): ☐ Part 1: Creditors with Priority Unsecured Claims
☐ Part 2: Creditors with Nonpriority Unsecured Claims

Last 4 digits of account number _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Part 4: Add the Amounts for Each Type of Unsecured Claim

6. Total the amounts of certain types of unsecured claims. This information is for statistical reporting purposes only. 28 U.S.C. § 159.
Add the amounts for each type of unsecured claim.

| | | Total claim |
|---------------------------------|---|---|
| Total claims from Part 1 | 6a. Domestic support obligations | 6a. \$ _____ |
| | 6b. Taxes and certain other debts you owe the government | 6b. \$ _____ |
| | 6c. Claims for death or personal injury while you were intoxicated | 6c. \$ _____ |
| | 6d. Other. Add all other priority unsecured claims. Write that amount here. | 6d. + \$ _____ |
| | 6e. Total. Add lines 6a through 6d. | 6e. <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ _____</div> |
| | | |
| | | Total claim |
| Total claims from Part 2 | 6f. Student loans | 6f. \$ _____ |
| | 6g. Obligations arising out of a separation agreement or divorce that you did not report as priority claims | 6g. \$ _____ |
| | 6h. Debts to pension or profit-sharing plans, and other similar debts | 6h. \$ _____ |
| | 6i. Other. Add all other nonpriority unsecured claims. Write that amount here. | 6i. + \$ _____ |
| | 6j. Total. Add lines 6f through 6i. | 6j. <div style="border: 1px solid black; padding: 2px; display: inline-block;">\$ _____</div> |

Fill in this information to identify your case:

Debtor

First Name

Middle Name

Last Name

Debtor 2

(Spouse if filing)

First Name

Middle Name

Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number
(if known)

☐ Check if this is an amended filing

Official Form 106G

Schedule G: Executory Contracts and Unexpired Leases

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the additional page, fill it out, number the entries, and attach it to this page. On the top of any additional pages, write your name and case number (if known).

1. Do you have any executory contracts or unexpired leases?

- ☐ No. Check this box and file this form with the court with your other schedules. You have nothing else to report on this form.
☐ Yes. Fill in all of the information below even if the contracts or leases are listed on *Schedule A/B: Property* (Official Form 106A/B).

2. List separately each person or company with whom you have the contract or lease. Then state what each contract or lease is for (for example, rent, vehicle lease, cell phone). See the instructions for this form in the instruction booklet for more examples of executory contracts and unexpired leases.

Person or company with whom you have the contract or lease

State what the contract or lease is for

2.1

Name

Number Street

City State ZIP Code

2.2

Name

Number Street

City State ZIP Code

2.3

Name

Number Street

City State ZIP Code

2.4

Name

Number Street

City State ZIP Code

2.5

Name

Number Street

City State ZIP Code

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Additional Page If You Have More Contracts or Leases

Person or company with whom you have the contract or lease

What the contract or lease is for

2.2

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

2.

Name

Number Street

City State ZIP Code

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
(if known)

☐ Check if this is an amended filing

Official Form 106H

Schedule H: Your Codebtors

12/15

Codebtors are people or entities who are also liable for any debts you may have. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, and number the entries in the boxes on the left. Attach the Additional Page to this page. On the top of any Additional Pages, write your name and case number (if known). Answer every question.

1. Do you have any codebtors? (If you are filing a joint case, do not list either spouse as a codebtor.)

- ☐ No
☐ Yes

2. Within the last 8 years, have you lived in a community property state or territory? (Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

- ☐ No. Go to line 3.
☐ Yes. Did your spouse, former spouse, or legal equivalent live with you at the time?

- ☐ No
☐ Yes. In which community state or territory did you live? _____. Fill in the name and current address of that person.

Name of your spouse, former spouse, or legal equivalent

Number Street

City State ZIP Code

3. In Column 1, list all of your codebtors. Do not include your spouse as a codebtor if your spouse is filing with you. List the person shown in line 2 again as a codebtor only if that person is a guarantor or cosigner. Make sure you have listed the creditor on Schedule D (Official Form 106D), Schedule E/F (Official Form 106E/F), or Schedule G (Official Form 106G). Use Schedule D, Schedule E/F, or Schedule G to fill out Column 2.

Column 1: Your codebtor

Column 2: The creditor to whom you owe the debt

Check all schedules that apply:

3.1

Name _____
Number Street _____
City State ZIP Code _____

- ☐ Schedule D, line _____
☐ Schedule E/F, line _____
☐ Schedule G, line _____

3.2

Name _____
Number Street _____
City State ZIP Code _____

- ☐ Schedule D, line _____
☐ Schedule E/F, line _____
☐ Schedule G, line _____

3.3

Name _____
Number Street _____
City State ZIP Code _____

- ☐ Schedule D, line _____
☐ Schedule E/F, line _____
☐ Schedule G, line _____

Debtor 1

First Name

Middle Name

Last Name

Case number (if known)

Additional Page to List More Codebtors**Column 1: Your codebtor****Column 2: The creditor to whom you owe the debt**

Check all schedules that apply:

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

3_

Name

Number Street

City

State

ZIP Code

☐ Schedule D, line _____☐ Schedule E/F, line _____☐ Schedule G, line _____

Fill in this information to identify your case:

Debtor 1

First Name

Middle Name

Last Name

Debtor 2

(Spouse, if filing)

First Name

Middle Name

Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number
(If known)

Check if this is:

☐ An amended filing

☐ A supplement showing postpetition chapter 13 income as of the following date:

MM / DD / YYYY

Official Form 1061

Schedule I: Your Income

12/15

Be as complete and accurate as possible. If two married people are filing together (Debtor 1 and Debtor 2), both are equally responsible for supplying correct information. If you are married and not filing jointly, and your spouse is living with you, include information about your spouse. If you are separated and your spouse is not filing with you, do not include information about your spouse. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Employment

1. Fill in your employment information.

If you have more than one job, attach a separate page with information about additional employers.

Include part-time, seasonal, or self-employed work.

Occupation may include student or homemaker, if it applies.

Employment status

☐ Employed
☐ Not employed

☐ Employed

☐ Not employed

Occupation

Employer's name

Employer's address

Number Street

Number Street

City

State

ZIP Code

City

State

ZIP Code

How long employed there? _____

Part 2: Give Details About Monthly Income

Estimate monthly income as of the date you file this form. If you have nothing to report for any line, write \$0 in the space. Include your non-filing spouse unless you are separated.

If you or your non-filing spouse have more than one employer, combine the information for all employers for that person on the lines below. If you need more space, attach a separate sheet to this form.

2. List monthly gross wages, salary, and commissions (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.

2.

\$ _____

\$ _____

3. Estimate and list monthly overtime pay.

3.

+\$ _____

+\$ _____

4. Calculate gross income. Add line 2 + line 3.

4.

\$ _____

\$ _____

Debtor 1

First Name Middle Name Last Name

Case number (#known)

| | For Debtor 1 | For Debtor 2 or non-filing spouse |
|--|------------------------------------|-----------------------------------|
| Copy line 4 here..... → 4. | \$ _____ | \$ _____ |
| 5. List all payroll deductions: | | |
| 5a. Tax, Medicare, and Social Security deductions | 5a. \$ _____ | \$ _____ |
| 5b. Mandatory contributions for retirement plans | 5b. \$ _____ | \$ _____ |
| 5c. Voluntary contributions for retirement plans | 5c. \$ _____ | \$ _____ |
| 5d. Required repayments of retirement fund loans | 5d. \$ _____ | \$ _____ |
| 5e. Insurance | 5e. \$ _____ | \$ _____ |
| 5f. Domestic support obligations | 5f. \$ _____ | \$ _____ |
| 5g. Union dues | 5g. \$ _____ | \$ _____ |
| 5h. Other deductions. Specify: _____ | 5h. + \$ _____ | + \$ _____ |
| 6. Add the payroll deductions. Add lines 5a + 5b + 5c + 5d + 5e + 5f + 5g + 5h. | 6. \$ _____ | \$ _____ |
| 7. Calculate total monthly take-home pay. Subtract line 6 from line 4. | 7. \$ _____ | \$ _____ |
| 8. List all other income regularly received: | | |
| 8a. Net income from rental property and from operating a business, profession, or farm Attach a statement for each property and business showing gross receipts, ordinary and necessary business expenses, and the total monthly net income. | 8a. \$ _____ | \$ _____ |
| 8b. Interest and dividends | 8b. \$ _____ | \$ _____ |
| 8c. Family support payments that you, a non-filing spouse, or a dependent regularly receive Include alimony, spousal support, child support, maintenance, divorce settlement, and property settlement. | 8c. \$ _____ | \$ _____ |
| 8d. Unemployment compensation | 8d. \$ _____ | \$ _____ |
| 8e. Social Security | 8e. \$ _____ | \$ _____ |
| 8f. Other government assistance that you regularly receive Include cash assistance and the value (if known) of any non-cash assistance that you receive, such as food stamps (benefits under the Supplemental Nutrition Assistance Program) or housing subsidies. Specify: _____ | 8f. \$ _____ | \$ _____ |
| 8g. Pension or retirement income | 8g. \$ _____ | \$ _____ |
| 8h. Other monthly income. Specify: _____ | 8h. + \$ _____ | + \$ _____ |
| 9. Add all other income. Add lines 8a + 8b + 8c + 8d + 8e + 8f + 8g + 8h. | 9. \$ _____ | \$ _____ |
| 10. Calculate monthly income. Add line 7 + line 9. Add the entries in line 10 for Debtor 1 and Debtor 2 or non-filing spouse. | 10. \$ _____ + \$ _____ = \$ _____ | \$ _____ |
| 11. State all other regular contributions to the expenses that you list in Schedule J. Include contributions from an unmarried partner, members of your household, your dependents, your roommates, and other friends or relatives. Do not include any amounts already included in lines 2-10 or amounts that are not available to pay expenses listed in Schedule J. Specify: _____ | | |
| | | 11. + \$ _____ |
| 12. Add the amount in the last column of line 10 to the amount in line 11. The result is the combined monthly income. Write that amount on the Summary of Your Assets and Liabilities and Certain Statistical Information, if it applies | | 12. \$ _____ |
| | | Combined monthly income |
| 13. Do you expect an increase or decrease within the year after you file this form? | | |
| <input type="checkbox"/> No. | | |
| <input type="checkbox"/> Yes. Explain: _____ | | |

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
(If known)

Check if this is:

- ☐ An amended filing
- ☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY

Official Form 106J

Schedule J: Your Expenses

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Is this a joint case?

- ☐ No. Go to line 2.
- ☐ Yes. Does Debtor 2 live in a separate household?
- ☐ No
- ☐ Yes. Debtor 2 must file Official Form 106J-2, *Expenses for Separate Household of Debtor 2*.

2. Do you have dependents?

Do not list Debtor 1 and Debtor 2.

Do not state the dependents' names.

- ☐ No
- ☐ Yes. Fill out this information for each dependent.....

Dependent's relationship to Debtor 1 or Debtor 2

Dependent's age

Does dependent live with you?

- ☐ No
- ☐ Yes
- ☐ No
- ☐ Yes
- ☐ No
- ☐ Yes
- ☐ No
- ☐ Yes
- ☐ No
- ☐ Yes

3. Do your expenses include expenses of people other than yourself and your dependents?

- ☐ No
- ☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed. If this is a supplemental *Schedule J*, check the box at the top of the form and fill in the applicable date.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on *Schedule I: Your Income* (Official Form 106I.)

4. The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.

Your expenses

4. \$ _____

If not included in line 4:

- 4a. Real estate taxes
- 4b. Property, homeowner's, or renter's insurance
- 4c. Home maintenance, repair, and upkeep expenses
- 4d. Homeowner's association or condominium dues

4a. \$ _____

4b. \$ _____

4c. \$ _____

4d. \$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Your expenses5. **Additional mortgage payments for your residence**, such as home equity loans

5. \$ _____

6. **Utilities:**

6a. Electricity, heat, natural gas

6a. \$ _____

6b. Water, sewer, garbage collection

6b. \$ _____

6c. Telephone, cell phone, Internet, satellite, and cable services

6c. \$ _____

6d. Other. Specify: _____

6d. \$ _____

7. **Food and housekeeping supplies**

7. \$ _____

8. **Childcare and children's education costs**

8. \$ _____

9. **Clothing, laundry, and dry cleaning**

9. \$ _____

10. **Personal care products and services**

10. \$ _____

11. **Medical and dental expenses**

11. \$ _____

12. **Transportation.** Include gas, maintenance, bus or train fare.
Do not include car payments.

12. \$ _____

13. **Entertainment, clubs, recreation, newspapers, magazines, and books**

13. \$ _____

14. **Charitable contributions and religious donations**

14. \$ _____

15. **Insurance.**

Do not include insurance deducted from your pay or included in lines 4 or 20.

15a. Life Insurance

15a. \$ _____

15b. Health Insurance

15b. \$ _____

15c. Vehicle Insurance

15c. \$ _____

15d. Other insurance. Specify: _____

15d. \$ _____

16. **Taxes.** Do not include taxes deducted from your pay or included in lines 4 or 20.
Specify: _____

16. \$ _____

17. **Installment or lease payments:**

17a. Car payments for Vehicle 1

17a. \$ _____

17b. Car payments for Vehicle 2

17b. \$ _____

17c. Other. Specify: _____

17c. \$ _____

17d. Other. Specify: _____

17d. \$ _____

18. **Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, Schedule I, Your Income (Official Form 106I).**

18. \$ _____

19. **Other payments you make to support others who do not live with you.**

Specify: _____

19. \$ _____

20. **Other real property expenses not included in lines 4 or 5 of this form or on Schedule I: Your Income.**

20a. Mortgages on other property

20a. \$ _____

20b. Real estate taxes

20b. \$ _____

20c. Property, homeowner's, or renter's insurance

20c. \$ _____

20d. Maintenance, repair, and upkeep expenses

20d. \$ _____

20e. Homeowner's association or condominium dues

20e. \$ _____

Debtor 1

First Name Middle Name Last Name

Case number (#) _____

21. Other. Specify: _____

21. +\$ _____

22. Calculate your monthly expenses.

22a. Add lines 4 through 21.

22a. \$ _____

22b. Copy line 22 (monthly expenses for Debtor 2), if any, from Official Form 106J-2

22b. \$ _____

22c. Add line 22a and 22b. The result is your monthly expenses.

22c. \$ _____

23. Calculate your monthly net income.

23a. Copy line 12 (your combined monthly income) from Schedule I.

23a. \$ _____

23b. Copy your monthly expenses from line 22c above.

23b. -\$ _____

23c. Subtract your monthly expenses from your monthly income.
The result is your monthly net income.

23c. \$ _____

24. Do you expect an increase or decrease in your expenses within the year after you file this form?

For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

☐ No.

☐ Yes.

Explain here:

Fill in this information to identify your case:

Debtor 1
 First Name _____ Middle Name _____ Last Name _____
 Debtor 2
 (Spouse, if filing) First Name _____ Middle Name _____ Last Name _____
 United States Bankruptcy Court for the: _____ District of _____
 Case number
 (if known) _____

Check if this is:

- ☐ An amended filing
☐ A supplement showing postpetition chapter 13 expenses as of the following date:

MM / DD / YYYY _____

Official Form 106J-2

Schedule J-2: Expenses for Separate Household of Debtor 2

12/15

Use this form for Debtor 2's separate household expenses ONLY IF Debtor 1 and Debtor 2 maintain separate households. If Debtor 1 and Debtor 2 have one or more dependents in common, list the dependents on both Schedule J and this form. Answer the questions on this form only with respect to expenses for Debtor 2 that are not reported on Schedule J. Be as complete and accurate as possible. If more space is needed, attach another sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Your Household

1. Do you and Debtor 1 maintain separate households?

- ☐ No. Do not complete this form.
☐ Yes

2. Do you have dependents?

☐ No

☐ Yes. Fill out this information for each dependent.....

Do not list Debtor 1 but list all other dependents of Debtor 2 regardless of whether listed as a dependent of Debtor 1 on Schedule J.

Do not state the dependents' names.

Dependent's relationship to Debtor 2:

Dependent's age

Does dependent live with you?

- ☐ No
☐ Yes
☐ No
☐ Yes
☐ No
☐ Yes
☐ No
☐ Yes
☐ No
☐ Yes

3. Do your expenses include expenses of people other than yourself, your dependents, and Debtor 1?

- ☐ No
☐ Yes

Part 2: Estimate Your Ongoing Monthly Expenses

Estimate your expenses as of your bankruptcy filing date unless you are using this form as a supplement in a Chapter 13 case to report expenses as of a date after the bankruptcy is filed.

Include expenses paid for with non-cash government assistance if you know the value of such assistance and have included it on Schedule I: Your Income (Official Form 106I.)

4. The rental or home ownership expenses for your residence. Include first mortgage payments and any rent for the ground or lot.

If not included in line 4:

- 4a. Real estate taxes
 4b. Property, homeowner's, or renter's insurance
 4c. Home maintenance, repair, and upkeep expenses
 4d. Homeowner's association or condominium dues

Your expenses

4. \$ _____
 4a. \$ _____
 4b. \$ _____
 4c. \$ _____
 4d. \$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Your expenses

5. Additional mortgage payments for your residence, such as home equity loans

5.

\$

6. Utilities:

6a. Electricity, heat, natural gas

6a.

\$

6b. Water, sewer, garbage collection

6b.

\$

6c. Telephone, cell phone, Internet, satellite, and cable services

6c.

\$

6d. Other. Specify: _____

6d.

\$

7. Food and housekeeping supplies

7.

\$

8. Childcare and children's education costs

8.

\$

9. Clothing, laundry, and dry cleaning

9.

\$

10. Personal care products and services

10.

\$

11. Medical and dental expenses

11.

\$

12. Transportation. Include gas, maintenance, bus or train fare.
Do not include car payments.

12.

\$

13. Entertainment, clubs, recreation, newspapers, magazines, and books

13.

\$

14. Charitable contributions and religious donations

14.

\$

15. Insurance.

Do not include insurance deducted from your pay or included in lines 4 or 20.

15a. Life insurance

15a.

\$

15b. Health insurance

15b.

\$

15c. Vehicle insurance

15c.

\$

15d. Other insurance. Specify: _____

15d.

\$

16. Taxes. Do not include taxes deducted from your pay or included in lines 4 or 20.
Specify: _____

16.

\$

17. Installment or lease payments:

17a. Car payments for Vehicle 1

17a.

\$

17b. Car payments for Vehicle 2

17b.

\$

17c. Other. Specify: _____

17c.

\$

17d. Other. Specify: _____

17d.

\$

18. Your payments of alimony, maintenance, and support that you did not report as deducted from your pay on line 5, Schedule I, Your Income (Official Form 106I).

18.

\$

19. Other payments you make to support others who do not live with you.

Specify: _____

19.

\$

20. Other real property expenses not included in lines 4 or 5 of this form or on Schedule I: Your Income.

20a. Mortgages on other property

20a.

\$

20b. Real estate taxes

20b.

\$

20c. Property, homeowner's, or renter's insurance

20c.

\$

20d. Maintenance, repair, and upkeep expenses

20d.

\$

20e. Homeowner's association or condominium dues

20e.

\$

Debtor 1

First Name Middle Name Last Name

Case number (if known)

21. Other. Specify: _____

21. +\$ _____

22. Your monthly expenses. Add lines 5 through 21.

The result is the monthly expenses of Debtor 2. Copy the result to line 22b of Schedule J to calculate the total expenses for Debtor 1 and Debtor 2.

22. \$ _____

23. Line not used on this form.

24. Do you expect an increase or decrease in your expenses within the year after you file this form?

For example, do you expect to finish paying for your car loan within the year or do you expect your mortgage payment to increase or decrease because of a modification to the terms of your mortgage?

☐ No.

☐ Yes.

Explain here:

Fill in this information to identify your case:

Debtor 1

First Name

Middle Name

Last Name

Debtor 2

(Spouse, if filing)

First Name

Middle Name

Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number
(if known)

☐ Check if this is an
amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. 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 3671.

Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☐ No

☐ Yes. Name of person _____ Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X

Signature of Debtor 1

Date

MM / DD / YYYY

X

Signature of Debtor 2

Date

MM / DD / YYYY

Fill in this information to identify your case:

Debtor 1

First Name

Middle Name

Last Name

Debtor 2

(Spouse, if filing)

First Name

Middle Name

Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number
(if known)

☐ Check if this is an
amended filing

Official Form 107

Statement of Financial Affairs for Individuals Filing for Bankruptcy

04/16

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Give Details About Your Marital Status and Where You Lived Before

1. What is your current marital status?

- ☐ Married
☐ Not married

2. During the last 3 years, have you lived anywhere other than where you live now?

- ☐ No
☐ Yes. List all of the places you lived in the last 3 years. Do not include where you live now.

Debtor 1:

Dates Debtor 1
lived there

Debtor 2:

Dates Debtor 2
lived there

☐ Same as Debtor 1

☐ Same as Debtor 1

Number Street

From _____
To _____

Number Street

From _____
To _____

City State ZIP Code

City State ZIP Code

☐ Same as Debtor 1

☐ Same as Debtor 1

Number Street

From _____
To _____

Number Street

From _____
To _____

City State ZIP Code

City State ZIP Code

3. Within the last 8 years, did you ever live with a spouse or legal equivalent in a community property state or territory? (Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

- ☐ No
☐ Yes. Make sure you fill out *Schedule H: Your Codebtors* (Official Form 106H).

Part 2: Explain the Sources of Your Income

Debtor 1

First Name Middle Name Last Name

Case number (if known)

4. Did you have any income from employment or from operating a business during this year or the two previous calendar years?

Fill in the total amount of income you received from all jobs and all businesses, including part-time activities.

If you are filing a joint case and you have income that you receive together, list it only once under Debtor 1.

☐ No☐ Yes. Fill in the details.

| | Debtor 1 | Debtor 2 |
|---|---|---|
| | Sources of income Check all that apply. | Gross income (before deductions and exclusions) |
| From January 1 of current year until the date you filed for bankruptcy: | <input type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business | <input type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business |
| For last calendar year: (January 1 to December 31, <u> </u>) YYYY | <input type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business | <input type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business |
| For the calendar year before that: (January 1 to December 31, <u> </u>) YYYY | <input type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business | <input type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business |

5. Did you receive any other income during this year or the two previous calendar years?Include income regardless of whether that income is taxable. Examples of *other income* are alimony; child support; Social Security, unemployment, and other public benefit payments; pensions; rental income; interest; dividends; money collected from lawsuits; royalties; and gambling and lottery winnings. If you are filing a joint case and you have income that you received together, list it only once under Debtor 1.

List each source and the gross income from each source separately. Do not include income that you listed in line 4.

☐ No☐ Yes. Fill in the details.

| | Debtor 1 | Debtor 2 |
|---|--------------------------------------|---|
| | Sources of income Describe below. | Gross income from each source (before deductions and exclusions) |
| From January 1 of current year until the date you filed for bankruptcy: | | |
| | | |
| | | |
| For last calendar year: (January 1 to December 31, <u> </u>) YYYY | | |
| | | |
| | | |
| For the calendar year before that: (January 1 to December 31, <u> </u>) YYYY | | |
| | | |
| | | |

Part 3: List Certain Payments You Made Before You Filed for Bankruptcy**6. Are either Debtor 1's or Debtor 2's debts primarily consumer debts?**

- ☐ No. **Neither Debtor 1 nor Debtor 2 has 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."

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$6,425* or more?

- ☐ No. Go to line 7.

- ☐ Yes. List below each creditor to whom you paid a total of \$6,425* or more in one or more payments and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

* Subject to adjustment on 4/01/19 and every 3 years after that for cases filed on or after the date of adjustment.

- ☐ Yes. **Debtor 1 or Debtor 2 or both have primarily consumer debts.**

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$600 or more?

- ☐ No. Go to line 7.

- ☐ Yes. List below each creditor to whom you paid a total of \$600 or more and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

| | Dates of payment | Total amount paid | Amount you still owe | Was this payment for... |
|---------------------|------------------|-------------------|----------------------|---|
| Creditor's Name | | \$ | \$ | <input type="checkbox"/> Mortgage |
| Number Street | | | | <input type="checkbox"/> Car |
| | | | | <input type="checkbox"/> Credit card |
| | | | | <input type="checkbox"/> Loan repayment |
| City State ZIP Code | | | | <input type="checkbox"/> Suppliers or vendors |
| | | | | <input type="checkbox"/> Other |
| Creditor's Name | | \$ | \$ | <input type="checkbox"/> Mortgage |
| Number Street | | | | <input type="checkbox"/> Car |
| | | | | <input type="checkbox"/> Credit card |
| | | | | <input type="checkbox"/> Loan repayment |
| City State ZIP Code | | | | <input type="checkbox"/> Suppliers or vendors |
| | | | | <input type="checkbox"/> Other |
| Creditor's Name | | \$ | \$ | <input type="checkbox"/> Mortgage |
| Number Street | | | | <input type="checkbox"/> Car |
| | | | | <input type="checkbox"/> Credit card |
| | | | | <input type="checkbox"/> Loan repayment |
| City State ZIP Code | | | | <input type="checkbox"/> Suppliers or vendors |
| | | | | <input type="checkbox"/> Other |

7. Within 1 year before you filed for bankruptcy, did you make a payment on a debt you owed anyone who was an insider?

Insiders include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20% or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Include payments for domestic support obligations, such as child support and alimony.

☐ No☐ Yes. List all payments to an insider.

| | Dates of payment | Total amount paid | Amount you still owe | Reason for this payment |
|---------------------|------------------|-------------------|----------------------|-------------------------|
| Insider's Name | | \$ | \$ | |
| Number Street | | | | |
| City State ZIP Code | | | | |
| Insider's Name | | \$ | \$ | |
| Number Street | | | | |
| City State ZIP Code | | | | |

8. Within 1 year before you filed for bankruptcy, did you make any payments or transfer any property on account of a debt that benefited an insider?

Include payments on debts guaranteed or cosigned by an insider.

☐ No☐ Yes. List all payments that benefited an insider.

| | Dates of payment | Total amount paid | Amount you still owe | Reason for this payment Include creditor's name |
|---------------------|------------------|-------------------|----------------------|--|
| Insider's Name | | \$ | \$ | |
| Number Street | | | | |
| City State ZIP Code | | | | |
| Insider's Name | | \$ | \$ | |
| Number Street | | | | |
| City State ZIP Code | | | | |

Part 4: Identify Legal Actions, Repossessions, and Foreclosures**9. Within 1 year before you filed for bankruptcy, were you a party in any lawsuit, court action, or administrative proceeding?**

List all such matters, including personal injury cases, small claims actions, divorces, collection suits, paternity actions, support or custody modifications, and contract disputes.

- ☐ No
- ☐ Yes. Fill in the details.

| | Nature of the case | Court or agency | Status of the case |
|---------------------------|--------------------|---------------------------|------------------------------------|
| Case title _____ _____ | | Court Name _____ | <input type="checkbox"/> Pending |
| Case number _____ | | Number Street _____ | <input type="checkbox"/> On appeal |
| | | City State ZIP Code _____ | <input type="checkbox"/> Concluded |
| Case title _____ _____ | | Court Name _____ | <input type="checkbox"/> Pending |
| Case number _____ | | Number Street _____ | <input type="checkbox"/> On appeal |
| | | City State ZIP Code _____ | <input type="checkbox"/> Concluded |

10. Within 1 year before you filed for bankruptcy, was any of your property repossessed, foreclosed, garnished, attached, seized, or levied?

Check all that apply and fill in the details below.

- ☐ No. Go to line 11.
- ☐ Yes. Fill in the information below.

| | Describe the property | Date | Value of the property |
|---------------------------|--|-------|-----------------------|
| Creditor's Name _____ | | _____ | \$ _____ |
| Number Street _____ | | | |
| City State ZIP Code _____ | | | |
| | Explain what happened | | |
| | <input type="checkbox"/> Property was repossessed. | | |
| | <input type="checkbox"/> Property was foreclosed. | | |
| | <input type="checkbox"/> Property was garnished. | | |
| | <input type="checkbox"/> Property was attached, seized, or levied. | | |
| | Describe the property | Date | Value of the property |
| Creditor's Name _____ | | _____ | \$ _____ |
| Number Street _____ | | | |
| City State ZIP Code _____ | | | |
| | Explain what happened | | |
| | <input type="checkbox"/> Property was repossessed. | | |
| | <input type="checkbox"/> Property was foreclosed. | | |
| | <input type="checkbox"/> Property was garnished. | | |
| | <input type="checkbox"/> Property was attached, seized, or levied. | | |

Debtor 1

First Name Middle Name Last Name

Case number (if known)

11. Within 90 days before you filed for bankruptcy, did any creditor, including a bank or financial institution, set off any amounts from your accounts or refuse to make a payment because you owed a debt?

- ☐ No
☐ Yes. Fill in the details.

| Describe the action the creditor took | | Date action was taken | Amount |
|---|--|-----------------------|--------|
| Creditor's Name | | | \$ |
| Number Street | | | |
| City State ZIP Code | | | |
| Last 4 digits of account number: XXXX-- | | | |

12. Within 1 year before you filed for bankruptcy, was any of your property in the possession of an assignee for the benefit of creditors, a court-appointed receiver, a custodian, or another official?

- ☐ No
☐ Yes

Part 5: List Certain Gifts and Contributions

13. Within 2 years before you filed for bankruptcy, did you give any gifts with a total value of more than \$600 per person?

- ☐ No
☐ Yes. Fill in the details for each gift.

| Gifts with a total value of more than \$600 per person | Describe the gifts | Dates you gave the gifts | Value |
|--|--------------------|--------------------------|-------|
| Person to Whom You Gave the Gift | | | \$ |
| Number Street | | | \$ |
| City State ZIP Code | | | |
| Person's relationship to you | | | |
| Gifts with a total value of more than \$600 per person | Describe the gifts | Dates you gave the gifts | Value |
| Person to Whom You Gave the Gift | | | \$ |
| Number Street | | | \$ |
| City State ZIP Code | | | |
| Person's relationship to you | | | |

14. Within 2 years before you filed for bankruptcy, did you give any gifts or contributions with a total value of more than \$600 to any charity?

- ☐ No
☐ Yes. Fill in the details for each gift or contribution.

| Gifts or contributions to charities that total more than \$600 | Describe what you contributed | Date you contributed | Value |
|--|-------------------------------|----------------------|-------|
| Charity's Name | | | \$ |
| | | | \$ |
| Number Street | | | |
| City State ZIP Code | | | |

Part 6: List Certain Losses

15. Within 1 year before you filed for bankruptcy or since you filed for bankruptcy, did you lose anything because of theft, fire, other disaster, or gambling?

- ☐ No
☐ Yes. Fill in the details.

| Describe the property you lost and how the loss occurred | Describe any insurance coverage for the loss Include the amount that insurance has paid. List pending insurance claims on line 33 of <i>Schedule A/B: Property</i> . | Date of your loss | Value of property lost |
|--|---|-------------------|------------------------|
| | | | \$ |

Part 7: List Certain Payments or Transfers

16. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone you consulted about seeking bankruptcy or preparing a bankruptcy petition?

Include any attorneys, bankruptcy petition preparers, or credit counseling agencies for services required in your bankruptcy.

- ☐ No
☐ Yes. Fill in the details.

| Person Who Was Paid | Description and value of any property transferred | Date payment or transfer was made | Amount of payment |
|---|---|-----------------------------------|-------------------|
| Number Street | | | \$ |
| | | | \$ |
| City State ZIP Code | | | |
| Email or website address | | | |
| Person Who Made the Payment, if Not You | | | |

Debtor 1

First Name Middle Name Last Name

Case number (if known)

| Description and value of any property transferred | Date payment or transfer was made | Amount of payment |
|---|-----------------------------------|----------------------|
| Person Who Was Paid _____ Number Street _____ _____ City State ZIP Code _____ Email or website address _____ Person Who Made the Payment, if Not You _____ | _____ _____ | \$ _____ \$ _____ |

17. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone who promised to help you deal with your creditors or to make payments to your creditors?

Do not include any payment or transfer that you listed on line 16.

- ☐ No
☐ Yes. Fill in the details.

| Description and value of any property transferred | Date payment or transfer was made | Amount of payment |
|--|-----------------------------------|----------------------|
| Person Who Was Paid _____ Number Street _____ _____ City State ZIP Code _____ | _____ _____ | \$ _____ \$ _____ |

18. Within 2 years before you filed for bankruptcy, did you sell, trade, or otherwise transfer any property to anyone, other than property transferred in the ordinary course of your business or financial affairs?

Include both outright transfers and transfers made as security (such as the granting of a security interest or mortgage on your property). Do not include gifts and transfers that you have already listed on this statement.

- ☐ No
☐ Yes. Fill in the details.

| Description and value of property transferred | Describe any property or payments received or debts paid in exchange | Date transfer was made |
|---|--|------------------------|
| Person Who Received Transfer _____ Number Street _____ _____ City State ZIP Code _____ Person's relationship to you _____ | | _____ |
| Person Who Received Transfer _____ Number Street _____ _____ City State ZIP Code _____ Person's relationship to you _____ | | _____ |

Debtor 1

First Name Middle Name Last Name

Case number (if known)

19. Within 10 years before you filed for bankruptcy, did you transfer any property to a self-settled trust or similar device of which you are a beneficiary? (These are often called *asset-protection devices*.)

- ☐ No
☐ Yes. Fill in the details.

| Name of trust | Description and value of the property transferred | Date transfer was made |
|---------------|---|------------------------|
| | | |

Part 8: List Certain Financial Accounts, Instruments, Safe Deposit Boxes, and Storage Units

20. Within 1 year before you filed for bankruptcy, were any financial accounts or instruments held in your name, or for your benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, pension funds, cooperatives, associations, and other financial institutions.

- ☐ No
☐ Yes. Fill in the details.

| Name of Financial Institution | Last 4 digits of account number | Type of account or instrument | Date account was closed, sold, moved, or transferred | Last balance before closing or transfer |
|---|---------------------------------|--|--|---|
| Name of Financial Institution Number Street City State ZIP Code | XXXX- - - - | <input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Money market <input type="checkbox"/> Brokerage <input type="checkbox"/> Other | | \$ |
| Name of Financial Institution Number Street City State ZIP Code | XXXX- - - - | <input type="checkbox"/> Checking <input type="checkbox"/> Savings <input type="checkbox"/> Money market <input type="checkbox"/> Brokerage <input type="checkbox"/> Other | | \$ |

21. Do you now have, or did you have within 1 year before you filed for bankruptcy, any safe deposit box or other depository for securities, cash, or other valuables?

- ☐ No
☐ Yes. Fill in the details.

| Name of Financial Institution | Who else had access to it? | Describe the contents | Do you still have it? |
|---|--|-----------------------|---|
| Name of Financial Institution Number Street City State ZIP Code | Name Number Street City State ZIP Code | | <input type="checkbox"/> No <input type="checkbox"/> Yes |

Debtor 1

First Name Middle Name Last Name

Case number (if known)

22. Have you stored property in a storage unit or place other than your home within 1 year before you filed for bankruptcy?☐ No☐ Yes. Fill in the details.

Who else has or had access to it?

Describe the contents

Do you still have it?

☐ No
☐ Yes

Name of Storage Facility

Name

Number Street

Number Street

City State ZIP Code

City

State

ZIP Code

Part 9: Identify Property You Hold or Control for Someone Else**23. Do you hold or control any property that someone else owns? Include any property you borrowed from, are storing for, or hold in trust for someone.**☐ No☐ Yes. Fill in the details.

Where is the property?

Describe the property

Value

Owner's Name

Number Street

City

State

ZIP Code

Number Street

City

State

ZIP Code

\$

Part 10: Give Details About Environmental Information

For the purpose of Part 10, the following definitions apply:

- **Environmental law** means any federal, state, or local statute or regulation concerning pollution, contamination, releases of hazardous or toxic substances, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.
- **Site** means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.
- **Hazardous material** means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar term.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?☐ No☐ Yes. Fill in the details.

Governmental unit

Environmental law, if you know it

Date of notice

Name of site

Governmental unit

Number Street

Number Street

City

State

ZIP Code

City

State

ZIP Code

25. Have you notified any governmental unit of any release of hazardous material?

- ☐ No
- ☐ Yes. Fill in the details.

| Governmental unit | | Environmental law, if you know it | Date of notice |
|---------------------|---------------------|-----------------------------------|----------------|
| Name of site | Governmental unit | | |
| Number Street | Number Street | | |
| | City State ZIP Code | | |
| City State ZIP Code | | | |

26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☐ No
- ☐ Yes. Fill in the details.

| Court or agency | | Nature of the case | Status of the case |
|-----------------|---------------------|--------------------|------------------------------------|
| Case title | Court Name | | <input type="checkbox"/> Pending |
| | Number Street | | <input type="checkbox"/> On appeal |
| Case number | City State ZIP Code | | <input type="checkbox"/> Concluded |

Part 11: Give Details About Your Business or Connections to Any Business

27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?

- ☐ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time
- ☐ A member of a limited liability company (LLC) or limited liability partnership (LLP)
- ☐ A partner in a partnership
- ☐ An officer, director, or managing executive of a corporation
- ☐ An owner of at least 5% of the voting or equity securities of a corporation

- ☐ No. None of the above applies. Go to Part 12.
- ☐ Yes. Check all that apply above and fill in the details below for each business.

| | |
|-------------------------------------|--|
| Describe the nature of the business | Employer identification number Do not include Social Security number or ITIN. |
| Business Name | EIN: _____ |
| Number Street | Dates business existed |
| | From _____ To _____ |
| City State ZIP Code | |
| Describe the nature of the business | Employer identification number Do not include Social Security number or ITIN. |
| Business Name | EIN: _____ |
| Number Street | Dates business existed |
| | From _____ To _____ |
| City State ZIP Code | |

Debtor 1

First Name _____ Middle Name _____ Last Name _____

Case number (if known) _____

| | | | |
|---------------------------------------|--|--|--|
| Business Name _____ | | Describe the nature of the business <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | Employer Identification number Do not include Social Security number or ITIN. |
| Number _____ Street _____ | | | EIN: _____ - _____ |
| City _____ State _____ ZIP Code _____ | | Name of accountant or bookkeeper <div style="border: 1px solid black; height: 40px; width: 100%;"></div> | Dates business existed From _____ To _____ |

28. Within 2 years before you filed for bankruptcy, did you give a financial statement to anyone about your business? Include all financial institutions, creditors, or other parties.

- ☐ No
- ☐ Yes. Fill in the details below.

| | |
|---------------------------------------|----------------------|
| Date issued | |
| Name _____ | MM / DD / YYYY _____ |
| Number _____ Street _____ | |
| City _____ State _____ ZIP Code _____ | |

Part 12: Sign Below

I have read the answers on this *Statement of Financial Affairs* and any attachments, and I declare under penalty of perjury that the answers are true and correct. I understand that 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.

| | |
|-----------------------|-----------------------|
| X _____ | X _____ |
| Signature of Debtor 1 | Signature of Debtor 2 |
| Date _____ | Date _____ |

Did you attach additional pages to *Your Statement of Financial Affairs for Individuals Filing for Bankruptcy* (Official Form 107)?

- ☐ No
- ☐ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out bankruptcy forms?

- ☐ No
- ☐ Yes. Name of person _____ Attach the *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____
(State)

Case number _____
(if known)

☐ Check if this is an amended filing

Official Form 108

Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- creditors have claims secured by your property, or
- you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form.

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: List Your Creditors Who Have Secured Claims

1. For any creditors that you listed in Part 1 of Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D), fill in the information below.

Identify the creditor and the property that is collateral

What do you intend to do with the property that secures a debt?

Did you claim the property as exempt on Schedule C?

Creditor's name:

☐ Surrender the property.

☐ No

☐ Retain the property and redeem it.

☐ Yes

Description of property securing debt:

☐ Retain the property and enter into a Reaffirmation Agreement.

☐ Retain the property and [explain]: _____

Creditor's name:

☐ Surrender the property.

☐ No

☐ Retain the property and redeem it.

☐ Yes

Description of property securing debt:

☐ Retain the property and enter into a Reaffirmation Agreement.

☐ Retain the property and [explain]: _____

Creditor's name:

☐ Surrender the property.

☐ No

☐ Retain the property and redeem it.

☐ Yes

Description of property securing debt:

☐ Retain the property and enter into a Reaffirmation Agreement.

☐ Retain the property and [explain]: _____

Creditor's name:

☐ Surrender the property.

☐ No

☐ Retain the property and redeem it.

☐ Yes

Description of property securing debt:

☐ Retain the property and enter into a Reaffirmation Agreement.

☐ Retain the property and [explain]: _____

Part 2: List Your Unexpired Personal Property Leases

For any unexpired personal property lease that you listed in *Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G)*, fill in the information below. Do not list real estate leases. *Unexpired leases* are leases that are still in effect; the lease period has not yet ended. You may assume an unexpired personal property lease if the trustee does not assume it. 11 U.S.C. § 366(p)(2).

Describe your unexpired personal property leases

Will the lease be assumed?

Lessor's name:

☐ No

Description of leased property:

☐ Yes

Lessor's name:

☐ No

Description of leased property:

☐ Yes

Lessor's name:

☐ No

Description of leased property:

☐ Yes

Lessor's name:

☐ No

Description of leased property:

☐ Yes

Lessor's name:

☐ No

Description of leased property:

☐ Yes

Lessor's name:

☐ No

Description of leased property:

☐ Yes

Lessor's name:

☐ No

Description of leased property:

☐ Yes**Part 3: Sign Below**

Under penalty of perjury, I declare that I have indicated my intention about any property of my estate that secures a debt and any personal property that is subject to an unexpired lease.

X

Signature of Debtor 1

Date

MM / DD / YYYY

X

Signature of Debtor 2

Date

MM / DD / YYYY

Fill in this information to identify the case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____
(State)

Case number _____ Chapter _____
(if known)

Official Form 119

Bankruptcy Petition Preparer's Notice, Declaration, and Signature

12/15

Bankruptcy petition preparers as defined in 11 U.S.C. § 110 must fill out this form every time they help prepare documents that are filed in the case. If more than one bankruptcy petition preparer helps with the documents, each must sign in Part 3. A bankruptcy petition preparer who does not comply with the provisions of title 11 of the United States Code and the Federal Rules of Bankruptcy Procedure may be fined, imprisoned, or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Part 1: Notice to Debtor

Bankruptcy petition preparers must give the debtor a copy of this form and have the debtor sign it before they prepare any documents for filing or accept any compensation. A signed copy of this form must be filed with any document prepared.

Bankruptcy petition preparers are not attorneys and may not practice law or give you legal advice, including the following:

- ☐ whether to file a petition under the Bankruptcy Code (11 U.S.C. § 101 et seq.);
- ☐ whether filing a case under chapter 7, 11, 12, or 13 is appropriate;
- ☐ whether your debts will be eliminated or discharged in a case under the Bankruptcy Code;
- ☐ whether you will be able to keep your home, car, or other property after filing a case under the Bankruptcy Code;
- ☐ what tax consequences may arise because a case is filed under the Bankruptcy Code;
- ☐ whether any tax claims may be discharged;
- ☐ whether you may or should promise to repay debts to a creditor or enter into a reaffirmation agreement;
- ☐ how to characterize the nature of your interests in property or your debts; or
- ☐ what procedures and rights apply in a bankruptcy case.

The bankruptcy petition preparer _____ has notified me of
Name
any maximum allowable fee before preparing any document for filing or accepting any fee.

Signature of Debtor 1 acknowledging receipt of this notice

Date _____
MM / DD / YYYY

Signature of Debtor 2 acknowledging receipt of this notice

Date _____
MM / DD / YYYY

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Part 2: Declaration and Signature of the Bankruptcy Petition Preparer

Under penalty of perjury, I declare that:

- ☐ I am a bankruptcy petition preparer or the officer, principal, responsible person, or partner of a bankruptcy petition preparer;
- ☐ I or my firm prepared the documents listed below and gave the debtor a copy of them and the *Notice to Debtor by Bankruptcy Petition Preparer* as required by 11 U.S.C. §§ 110(b), 110(h), and 342(b); and
- ☐ If rules or guidelines are established according to 11 U.S.C. § 110(h) setting a maximum fee for services that bankruptcy petition preparers may charge, I or my firm notified the debtor of the maximum amount before preparing any document for filing or before accepting any fee from the debtor.

Printed name

Title, if any

Firm name, if it applies

Number

Street

City

State

ZIP Code

Contact phone

I or my firm prepared the documents checked below and the completed declaration is made a part of each document that I check:
(Check all that apply.)

- | | | |
|---|---|---|
| <input type="checkbox"/> Voluntary Petition (Form 101) | <input type="checkbox"/> Schedule I (Form 106I) | <input type="checkbox"/> Chapter 11 Statement of Your Current Monthly Income (Form 122B) |
| <input type="checkbox"/> Statement About Your Social Security Numbers (Form 121) | <input type="checkbox"/> Schedule J (Form 106J) | <input type="checkbox"/> Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Form 122C-1) |
| <input type="checkbox"/> Summary of Your Assets and Liabilities and Certain Statistical Information (Form 106Sum) | <input type="checkbox"/> Declaration About an Individual Debtor's Schedules (Form 106Dec) | <input type="checkbox"/> Chapter 13 Calculation of Your Disposable Income (Form 122C-2) |
| <input type="checkbox"/> Schedule A/B (Form 106A/B) | <input type="checkbox"/> Statement of Financial Affairs (Form 107) | <input type="checkbox"/> Application to Pay Filing Fee in Installments (Form 103A) |
| <input type="checkbox"/> Schedule C (Form 106C) | <input type="checkbox"/> Statement of Intention for Individuals Filing Under Chapter 7 (Form 108) | <input type="checkbox"/> Application to Have Chapter 7 Filing Fee Waived (Form 103B) |
| <input type="checkbox"/> Schedule D (Form 106D) | <input type="checkbox"/> Chapter 7 Statement of Your Current Monthly Income (Form 122A-1) | <input type="checkbox"/> A list of names and addresses of all creditors (<i>creditor or mailing matrix</i>) |
| <input type="checkbox"/> Schedule E/F (Form 106E/F) | <input type="checkbox"/> Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (Form 122A-1Supp) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Schedule G (Form 106G) | <input type="checkbox"/> Chapter 7 Means Test Calculation (Form 122A-2) | |
| <input type="checkbox"/> Schedule H (Form 106H) | | |

Bankruptcy petition preparers must sign and give their Social Security numbers. If more than one bankruptcy petition preparer prepared the documents to which this declaration applies, the signature and Social Security number of each preparer must be provided. 11 U.S.C. § 110.

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner

Social Security number of person who signed

Date
MM / DD / YYYY

Printed name

Signature of bankruptcy petition preparer or officer, principal, responsible person, or partner

Social Security number of person who signed

Date
MM / DD / YYYY

Printed name

United States Bankruptcy Court

District Of _____

In re _____
Debtor

Case No. _____

Chapter _____

DISCLOSURE OF COMPENSATION OF BANKRUPTCY PETITION PREPARER*[Must be filed with the petition if a bankruptcy petition preparer prepares the petition. 11 U.S.C. § 110(h)(2).]*

1. Under 11 U.S.C. § 110(h), I declare under penalty of perjury that I am not an attorney or employee of an attorney, that I prepared or caused to be prepared one or more documents for filing by the above-named debtor(s) in connection with this bankruptcy case, and that compensation paid to me within one year before the filing of the bankruptcy petition, or agreed to be paid to me, for services rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For document preparation services I have agreed to accept..... \$ _____

Prior to the filing of this statement I have received..... \$ _____

Balance Due..... \$ _____

2. I have prepared or caused to be prepared the following documents (itemize):

and provided the following services (itemize):

3. The source of the compensation paid to me was:
Debtor _____ Other (specify) _____
4. The source of compensation to be paid to me is:
Debtor _____ Other (specify) _____
5. The foregoing is a complete statement of any agreement or arrangement for payment to me for preparation of the petition filed by the debtor(s) in this bankruptcy case.
6. To my knowledge no other person has prepared for compensation a document for filing in connection with this bankruptcy case except as listed below:

NAME

SOCIAL SECURITY NUMBER

| | | |
|---|---|------------------|
| _____ Signature | _____ Social Security number of bankruptcy petition preparer* | _____ Date |
| _____ Printed name and title, if any, of Bankruptcy Petition Preparer | | _____ Address |

* 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).

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Fill in this information to identify your case:

United States Bankruptcy Court for the:

District of _____

State _____

Case number (if known): _____

Official Form 121

Statement About Your Social Security Numbers

12/15

Use this form to tell the court about any Social Security or federal Individual Taxpayer Identification numbers you have used. Do not file this form as part of the public case file. This form must be submitted separately and must not be included in the court's public electronic records. Please consult local court procedures for submission requirements.

To protect your privacy, the court will not make this form available to the public. You should not include a full Social Security Number or Individual Taxpayer Number on any other document filed with the court. The court will make only the last four digits of your numbers known to the public. However, the full numbers will be available to your creditors, the U.S. Trustee or bankruptcy administrator, and the trustee assigned to your 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.

Part 1: Tell the Court About Yourself and Your spouse if Your Spouse is Filing With You

For Debtor 1:

For Debtor 2 (Only If Spouse is Filing):

1. Your name

First name _____

First name _____

Middle name _____

Middle name _____

Last name _____

Last name _____

Part 2: Tell the Court About all of Your Social Security or Federal Individual Taxpayer Identification Numbers

2. All Social Security Numbers you have used

____ - ____ - ____ - ____
____ - ____ - ____ - ____

____ - ____ - ____ - ____
____ - ____ - ____ - ____

☐ You do not have a Social Security number.

☐ You do not have a Social Security number.

3. All federal Individual Taxpayer Identification Numbers (ITIN) you have used

9 ____ - ____ - ____ - ____
9 ____ - ____ - ____ - ____

9 ____ - ____ - ____ - ____
9 ____ - ____ - ____ - ____

☐ You do not have an ITIN.

☐ You do not have an ITIN.

Part 3: Sign Below

Under penalty of perjury, I declare that the information I have provided in this form is true and correct.

Under penalty of perjury, I declare that the information I have provided in this form is true and correct.

X _____

Signature of Debtor 1

Date _____
MM / DD / YYYY

X _____

Signature of Debtor 2

Date _____
MM / DD / YYYY

Fill in this information to identify your case:

Debtor 1 _____
 First Name Middle Name Last Name

Debtor 2 _____
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____

Case number _____
 (If known)

Check one box only as directed in this form and in Form 122A-1Supp:

- ☐ 1. There is no presumption of abuse.
- ☐ 2. The calculation to determine if a presumption of abuse applies will be made under *Chapter 7 Means Test Calculation* (Official Form 122A-2).
- ☐ 3. The Means Test does not apply now because of qualified military service but it could apply later.

☐ Check if this is an amended filing

Official Form 122A-1

Chapter 7 Statement of Your Current Monthly Income

04/20

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form. Include the line number to which the additional information applies. On the top of any additional pages, write your name and case number (if known). If you believe that you are exempted from a presumption of abuse because you do not have primarily consumer debts or because of qualifying military service, complete and file *Statement of Exemption from Presumption of Abuse Under § 707(b)(2)* (Official Form 122A-1Supp) with this form.

Part 1: Calculate Your Current Monthly Income

1. What is your marital and filing status? Check one only.

- ☐ **Not married.** Fill out Column A, lines 2-11.
- ☐ **Married and your spouse is filing with you.** Fill out both Columns A and B, lines 2-11.
- ☐ **Married and your spouse is NOT filing with you. You and your spouse are:**
- ☐ **Living in the same household and are not legally separated.** Fill out both Columns A and B, lines 2-11.
- ☐ **Living separately or are legally separated.** Fill out Column A, lines 2-11; do not fill out Column B. By checking this box, you declare under penalty of perjury that you and your spouse are legally separated under nonbankruptcy law that applies or that you and your spouse are living apart for reasons that do not include evading the Means Test requirements. 11 U.S.C. § 707(b)(7)(B).

Fill in the average monthly income that you received from all sources, derived during the 6 full months before you file this bankruptcy case. 11 U.S.C. § 101(10A). For example, if you are filing on September 15, the 6-month period would be March 1 through August 31. If the amount of your monthly income varied during the 6 months, add the income for all 6 months and divide the total by 6. Fill in the result. Do not include any income amount more than once. For example, if both spouses own the same rental property, put the income from that property in one column only. If you have nothing to report for any line, write \$0 in the space.


| | Column A Debtor 1 | Column B Debtor 2 or non-filing spouse |
|---|---|---|
| 2. Your gross wages, salary, tips, bonuses, overtime, and commissions (before all payroll deductions). | \$ _____ | \$ _____ |
| 3. Alimony and maintenance payments. Do not include payments from a spouse if Column B is filled in. | \$ _____ | \$ _____ |
| 4. All amounts from any source which are regularly paid for household expenses of you or your dependents, including child support. Include regular contributions from an unmarried partner, members of your household, your dependents, parents, and roommates. Include regular contributions from a spouse only if Column B is not filled in. Do not include payments you listed on line 3. | \$ _____ | \$ _____ |
| 5. Net income from operating a business, profession, or farm | Debtor 1 Gross receipts (before all deductions) \$ _____ Ordinary and necessary operating expenses - \$ _____ Net monthly income from a business, profession, or farm \$ _____ | Debtor 2 Gross receipts (before all deductions) \$ _____ Ordinary and necessary operating expenses - \$ _____ Net monthly income from a business, profession, or farm \$ _____ |
| 6. Net income from rental and other real property | Debtor 1 Gross receipts (before all deductions) \$ _____ Ordinary and necessary operating expenses - \$ _____ Net monthly income from rental or other real property \$ _____ | Debtor 2 Gross receipts (before all deductions) \$ _____ Ordinary and necessary operating expenses - \$ _____ Net monthly income from rental or other real property \$ _____ |
| 7. Interest, dividends, and royalties | \$ _____ | \$ _____ |

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Column A
Debtor 1Column B
Debtor 2 or
non-filing spouse**8. Unemployment compensation**

Do not enter the amount if you contend that the amount received was a benefit under the Social Security Act. Instead, list it here: 

For you \$

For your spouse \$

- 9. Pension or retirement income.** Do not include any amount received that was a benefit under the Social Security Act. Also, except as stated in the next sentence, do not include any compensation, pension, pay, annuity, or allowance paid by the United States Government in connection with a disability, combat-related injury or disability, or death of a member of the uniformed services. If you received any retired pay paid under chapter 61 of title 10, then include that pay only to the extent that it does not exceed the amount of retired pay to which you would otherwise be entitled if retired under any provision of title 10 other than chapter 61 of that title.

\$ \$

- 10. Income from all other sources not listed above.** Specify the source and amount. Do not include any benefits received under the Social Security Act; payments made under the Federal law relating to the national emergency declared by the President under the National Emergencies Act (50 U.S.C. 1601 et seq.) with respect to the coronavirus disease 2019 (COVID-19); payments received as a victim of a war crime, a crime against humanity, or international or domestic terrorism; or compensation, pension, pay, annuity, or allowance paid by the United States Government in connection with a disability, combat-related injury or disability, or death of a member of the uniformed services. If necessary, list other sources on a separate page and put the total below.

Total amounts from separate pages, if any.

\$ \$

\$ \$

+ \$ + \$

- 11. Calculate your total current monthly income.** Add lines 2 through 10 for each column. Then add the total for Column A to the total for Column B.

\$ + \$ = \$

Total current
monthly income**Part 2: Determine Whether the Means Test Applies to You**

- 12. Calculate your current monthly income for the year.** Follow these steps:

12a. Copy your total current monthly income from line 11. Copy line 11 here → \$

Multiply by 12 (the number of months in a year).

x 12

12b. The result is your annual income for this part of the form.

12b. \$

- 13. Calculate the median family income that applies to you.** Follow these steps:

Fill in the state in which you live.

Fill in the number of people in your household.

Fill in the median family income for your state and size of household. 13. \$

To find a list of applicable median income amounts, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.

- 14. How do the lines compare?**

14a. ☐ Line 12b is less than or equal to line 13. On the top of page 1, check box 1, *There is no presumption of abuse.* Go to Part 3. Do NOT fill out or file Official Form 122A-2

14b. ☐ Line 12b is more than line 13. On the top of page 1, check box 2, *The presumption of abuse is determined by Form 122A-2.* Go to Part 3 and fill out Form 122A-2.

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Part 3: Sign Below

By signing here, I declare under penalty of perjury that the information on this statement and in any attachments is true and correct.

X

Signature of Debtor 1

Date
MM / DD / YYYY

X

Signature of Debtor 2

Date
MM / DD / YYYY

If you checked line 14a, do NOT fill out or file Form 122A-2.

If you checked line 14b, fill out Form 122A-2 and file it with this form.

Fill in this information to identify your case:

| | | | |
|---|------------|-------------|-----------|
| Debtor 1 | First Name | Middle Name | Last Name |
| Debtor 2 (Spouse, if filing) | First Name | Middle Name | Last Name |
| United States Bankruptcy Court for the: _____ District of _____ | | | |
| Case number (If known) _____ | | | |

☐ Check if this is an amended filing

Official Form 122A-1Supp

Statement of Exemption from Presumption of Abuse Under § 707(b)(2) 12/15

File this supplement together with *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1), if you believe that you are exempted from a presumption of abuse. Be as complete and accurate as possible. If two married people are filing together, and any of the exclusions in this statement applies to only one of you, the other person should complete a separate Form 122A-1 if you believe that this is required by 11 U.S.C. § 707(b)(2)(C).

Part 1: Identify the Kind of Debts You Have

1. Are your debts 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." Make sure that your answer is consistent with the answer you gave at line 16 of the *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101).

- ☐ No. Go to Form 122A-1; on the top of page 1 of that form, check box 1, *There is no presumption of abuse*, and sign Part 3. Then submit this supplement with the signed Form 122A-1.
- ☐ Yes. Go to Part 2.

Part 2: Determine Whether Military Service Provisions Apply to You

2. Are you a disabled veteran (as defined in 38 U.S.C. § 3741(1))?

- ☐ No. Go to line 3.
- ☐ Yes. Did you incur debts mostly while you were on active duty or while you were performing a homeland defense activity? 10 U.S.C. § 101(d)(1); 32 U.S.C. § 901(1).
- ☐ No. Go to line 3.
- ☐ Yes. Go to Form 122A-1; on the top of page 1 of that form, check box 1, *There is no presumption of abuse*, and sign Part 3. Then submit this supplement with the signed Form 122A-1.

3. Are you or have you been a Reservist or member of the National Guard?

- ☐ No. Complete Form 122A-1. Do not submit this supplement.
- ☐ Yes. Were you called to active duty or did you perform a homeland defense activity? 10 U.S.C. § 101(d)(1); 32 U.S.C. § 901(1).
- ☐ No. Complete Form 122A-1. Do not submit this supplement.
- ☐ Yes. Check any one of the following categories that applies:
- ☐ I was called to active duty after September 11, 2001, for at least 90 days and remain on active duty.
- ☐ I was called to active duty after September 11, 2001, for at least 90 days and was released from active duty on _____, which is fewer than 540 days before I file this bankruptcy case.
- ☐ I am performing a homeland defense activity for at least 90 days.
- ☐ I performed a homeland defense activity for at least 90 days, ending on _____, which is fewer than 540 days before I file this bankruptcy case.

If you checked one of the categories to the left, go to Form 122A-1. On the top of page 1 of Form 122A-1, check box 3, *The Means Test does not apply now*, and sign Part 3. Then submit this supplement with the signed Form 122A-1. You are not required to fill out the rest of Official Form 122A-1 during the exclusion period. The *exclusion period* means the time you are on active duty or are performing a homeland defense activity, and for 540 days afterward. 11 U.S.C. § 707(b)(2)(D)(ii).

If your exclusion period ends before your case is closed, you may have to file an amended form later.

Fill in this information to identify your case:

Debtor 1
First Name Middle Name Last Name

Debtor 2
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: District of

Case number
(If known)

Check the appropriate box as directed in lines 40 or 42:

According to the calculations required by this Statement:

☐ 1. There is no presumption of abuse.

☐ 2. There is a presumption of abuse.

☐ Check if this is an amended filing

Official Form 122A-2

Chapter 7 Means Test Calculation

04/16

To fill out this form, you will need your completed copy of *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1).

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form. Include the line number to which the additional information applies. On the top of any additional pages, write your name and case number (if known).

Part 1: Determine Your Adjusted Income

1. Copy your total current monthly income. Copy line 11 from Official Form 122A-1 here → \$

2. Did you fill out Column B in Part 1 of Form 122A-1?

☐ No. Fill in \$0 for the total on line 3.

☐ Yes. Is your spouse filing with you?

☐ No. Go to line 3.

☐ Yes. Fill in \$0 for the total on line 3.

3. Adjust your current monthly income by subtracting any part of your spouse's income not used to pay for the household expenses of you or your dependents. Follow these steps:

On line 11, Column B of Form 122A-1, was any amount of the income you reported for your spouse NOT regularly used for the household expenses of you or your dependents?

☐ No. Fill in 0 for the total on line 3.

☐ Yes. Fill in the information below:

State each purpose for which the income was used

For example, the income is used to pay your spouse's tax debt or to support people other than you or your dependents

Fill in the amount you are subtracting from your spouse's income

\$

\$

+ \$

Total \$

Copy total here → - \$

4. Adjust your current monthly income. Subtract the total on line 3 from line 1.

\$

Part 2: Calculate Your Deductions from Your Income

The Internal Revenue Service (IRS) issues National and Local Standards for certain expense amounts. Use these amounts to answer the questions in lines 6-15. To find the IRS standards, go online using the link specified in the separate instructions for this form. This information may also be available at the bankruptcy clerk's office.

Deduct the expense amounts set out in lines 6-15 regardless of your actual expense. In later parts of the form, you will use some of your actual expenses if they are higher than the standards. Do not deduct any amounts that you subtracted from your spouse's income in line 3 and do not deduct any operating expenses that you subtracted from income in lines 5 and 6 of Form 122A-1.

If your expenses differ from month to month, enter the average expense.

Whenever this part of the form refers to *you*, it means both you and your spouse if Column B of Form 122A-1 is filled in.

5. The number of people used in determining your deductions from income

Fill in the number of people who could be claimed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support. This number may be different from the number of people in your household.

National Standards You must use the IRS National Standards to answer the questions in lines 6-7.

6. Food, clothing, and other items: Using the number of people you entered in line 5 and the IRS National Standards, fill in the dollar amount for food, clothing, and other items.

\$ _____

7. Out-of-pocket health care allowance: Using the number of people you entered in line 5 and the IRS National Standards, fill in the dollar amount for out-of-pocket health care. The number of people is split into two categories—people who are under 65 and people who are 65 or older—because older people have a higher IRS allowance for health care costs. If your actual expenses are higher than this IRS amount, you may deduct the additional amount on line 22.

People who are under 65 years of age

7a. Out-of-pocket health care allowance per person

\$ _____

7b. Number of people who are under 65

X _____

7c. **Subtotal.** Multiply line 7a by line 7b.

\$ _____ Copy here → \$ _____

People who are 65 years of age or older

7d. Out-of-pocket health care allowance per person

\$ _____

7e. Number of people who are 65 or older

X _____

7f. **Subtotal.** Multiply line 7d by line 7e.

\$ _____ Copy here → + \$ _____

7g. **Total.** Add lines 7c and 7f.

\$ _____

Copy total here →

\$ _____

Local Standards You must use the IRS Local Standards to answer the questions in lines 8-15.

Based on information from the IRS, the U.S. Trustee Program has divided the IRS Local Standard for housing for bankruptcy purposes into two parts:

- Housing and utilities – Insurance and operating expenses
- Housing and utilities – Mortgage or rent expenses

To answer the questions in lines 8-9, use the U.S. Trustee Program chart.

To find the chart, go online using the link specified in the separate instructions for this form. This chart may also be available at the bankruptcy clerk's office.

8. **Housing and utilities – Insurance and operating expenses:** Using the number of people you entered in line 5, fill in the dollar amount listed for your county for insurance and operating expenses. \$ _____

9. **Housing and utilities – Mortgage or rent expenses:**

- 9a. Using the number of people you entered in line 5, fill in the dollar amount listed for your county for mortgage or rent expenses. \$ _____

- 9b. Total average monthly payment for all mortgages and other debts secured by your home.

To calculate the total average monthly payment, add all amounts that are contractually due to each secured creditor in the 60 months after you file for bankruptcy. Then divide by 60.

Name of the creditor

Average monthly payment

\$ _____

\$ _____

+ \$ _____

Total average monthly payment

\$ _____

Copy here →

— \$ _____

Repeat this amount on line 33a.

- 9c. Net mortgage or rent expense.

Subtract line 9b (total average monthly payment) from line 9a (mortgage or rent expense). If this amount is less than \$0, enter \$0.

\$ _____

Copy here →

\$ _____

10. If you claim that the U.S. Trustee Program's division of the IRS Local Standard for housing is incorrect and affects the calculation of your monthly expenses, fill in any additional amount you claim. \$ _____

Explain why:

11. **Local transportation expenses:** Check the number of vehicles for which you claim an ownership or operating expense.

- ☐ 0. Go to line 14.
- ☐ 1. Go to line 12.
- ☐ 2 or more. Go to line 12.

12. **Vehicle operation expense:** Using the IRS Local Standards and the number of vehicles for which you claim the operating expenses, fill in the *Operating Costs* that apply for your Census region or metropolitan statistical area. \$ _____

13. **Vehicle ownership or lease expense:** Using the IRS Local Standards, calculate the net ownership or lease expense for each vehicle below. You may not claim the expense if you do not make any loan or lease payments on the vehicle. In addition, you may not claim the expense for more than two vehicles.

Vehicle 1 Describe Vehicle 1: _____

13a. Ownership or leasing costs using IRS Local Standard. _____ \$ _____

13b. Average monthly payment for all debts secured by Vehicle 1.
Do not include costs for leased vehicles.

To calculate the average monthly payment here and on line 13e, add all amounts that are contractually due to each secured creditor in the 60 months after you filed for bankruptcy. Then divide by 60.

| Name of each creditor for Vehicle 1 | Average monthly payment |
|-------------------------------------|-------------------------|
| _____ | \$ _____ |
| _____ | + \$ _____ |

Total average monthly payment

\$ _____

Copy here →

— \$ _____

Repeat this amount on line 33b.

13c. Net Vehicle 1 ownership or lease expense

Subtract line 13b from line 13a. If this amount is less than \$0, enter \$0. _____

\$ _____

Copy net Vehicle 1 expense here ... →

\$ _____

Vehicle 2 Describe Vehicle 2: _____

13d. Ownership or leasing costs using IRS Local Standard. _____ \$ _____

13e. Average monthly payment for all debts secured by Vehicle 2.
Do not include costs for leased vehicles.

| Name of each creditor for Vehicle 2 | Average monthly payment |
|-------------------------------------|-------------------------|
| _____ | \$ _____ |
| _____ | + \$ _____ |

Total average monthly payment

\$ _____

Copy here →

— \$ _____

Repeat this amount on line 33c.

13f. Net Vehicle 2 ownership or lease expense

Subtract line 13e from line 13d. If this amount is less than \$0, enter \$0. _____

\$ _____

Copy net Vehicle 2 expense here ... →

\$ _____

14. **Public transportation expense:** If you claimed 0 vehicles in line 11, using the IRS Local Standards, fill in the *Public Transportation* expense allowance regardless of whether you use public transportation.

\$ _____

15. **Additional public transportation expense:** If you claimed 1 or more vehicles in line 11 and if you claim that you may also deduct a public transportation expense, you may fill in what you believe is the appropriate expense, but you may not claim more than the IRS Local Standard for *Public Transportation*.

\$ _____

Other Necessary Expenses

In addition to the expense deductions listed above, you are allowed your monthly expenses for the following IRS categories.

16. **Taxes:** The total monthly amount that you will actually owe for federal, state and local taxes, such as income taxes, self-employment taxes, Social Security taxes, and Medicare taxes. You may include the monthly amount withheld from your pay for these taxes. However, if you expect to receive a tax refund, you must divide the expected refund by 12 and subtract that number from the total monthly amount that is withheld to pay for taxes.

\$ _____

Do not include real estate, sales, or use taxes.

17. **Involuntary deductions:** The total monthly payroll deductions that your job requires, such as retirement contributions, union dues, and uniform costs.

\$ _____

Do not include amounts that are not required by your job, such as voluntary 401(k) contributions or payroll savings.

18. **Life insurance:** The total monthly premiums that you pay for your own term life insurance. If two married people are filing together, include payments that you make for your spouse's term life insurance. Do not include premiums for life insurance on your dependents, for a non-filing spouse's life insurance, or for any form of life insurance other than term.

\$ _____

19. **Court-ordered payments:** The total monthly amount that you pay as required by the order of a court or administrative agency, such as spousal or child support payments.

\$ _____

Do not include payments on past due obligations for spousal or child support. You will list these obligations in line 35.

20. **Education:** The total monthly amount that you pay for education that is either required:

- ☐ as a condition for your job, or
- ☐ for your physically or mentally challenged dependent child if no public education is available for similar services.

\$ _____

21. **Childcare:** The total monthly amount that you pay for childcare, such as babysitting, daycare, nursery, and preschool.

\$ _____

Do not include payments for any elementary or secondary school education.

22. **Additional health care expenses, excluding insurance costs:** The monthly amount that you pay for health care that is required for the health and welfare of you or your dependents and that is not reimbursed by insurance or paid by a health savings account. Include only the amount that is more than the total entered in line 7.

\$ _____

Payments for health insurance or health savings accounts should be listed only in line 25.

23. **Optional telephones and telephone services:** The total monthly amount that you pay for telecommunication services for you and your dependents, such as pagers, call waiting, caller identification, special long distance, or business cell phone service, to the extent necessary for your health and welfare or that of your dependents or for the production of income, if it is not reimbursed by your employer.

+ \$ _____

Do not include payments for basic home telephone, internet and cell phone service. Do not include self-employment expenses, such as those reported on line 5 of Official Form 122A-1, or any amount you previously deducted.

24. **Add all of the expenses allowed under the IRS expense allowances.**

\$ _____

Add lines 6 through 23.

Additional Expense Deductions

These are additional deductions allowed by the Means Test.

Note: Do not include any expense allowances listed in lines 6-24.

25. **Health insurance, disability insurance, and health savings account expenses.** The monthly expenses for health insurance, disability insurance, and health savings accounts that are reasonably necessary for yourself, your spouse, or your dependents.

Health insurance \$ _____

Disability insurance \$ _____

Health savings account + \$ _____

Total \$ _____

Copy total here → \$ _____

Do you actually spend this total amount?

☐ No. How much do you actually spend?

\$ _____

☐ Yes

26. **Continuing contributions to the care of household or family members.** The actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses. These expenses may include contributions to an account of a qualified ABLE program. 26 U.S.C. § 529A(b).

\$ _____

27. **Protection against family violence.** The reasonably necessary monthly expenses that you incur to maintain the safety of you and your family under the Family Violence Prevention and Services Act or other federal laws that apply.

\$ _____

By law, the court must keep the nature of these expenses confidential.

28. **Additional home energy costs.** Your home energy costs are included in your insurance and operating expenses on line 8.

If you believe that you have home energy costs that are more than the home energy costs included in expenses on line 8, then fill in the excess amount of home energy costs.

\$ _____

You must give your case trustee documentation of your actual expenses, and you must show that the additional amount claimed is reasonable and necessary.

29. **Education expenses for dependent children who are younger than 18.** The monthly expenses (not more than \$160.42* per child) that you pay for your dependent children who are younger than 18 years old to attend a private or public elementary or secondary school.

\$ _____

You must give your case trustee documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in lines 6-23.

* Subject to adjustment on 4/01/19, and every 3 years after that for cases begun on or after the date of adjustment.

30. **Additional food and clothing expense.** The monthly amount by which your actual food and clothing expenses are higher than the combined food and clothing allowances in the IRS National Standards. That amount cannot be more than 5% of the food and clothing allowances in the IRS National Standards.

\$ _____

To find a chart showing the maximum additional allowance, go online using the link specified in the separate instructions for this form. This chart may also be available at the bankruptcy clerk's office.

You must show that the additional amount claimed is reasonable and necessary.

31. **Continuing charitable contributions.** The amount that you will continue to contribute in the form of cash or financial instruments to a religious or charitable organization. 26 U.S.C. § 170(c)(1)-(2).

+ \$ _____

32. **Add all of the additional expense deductions.**

Add lines 25 through 31.

\$ _____

Deductions for Debt Payment**33. For debts that are secured by an interest in property that you own, including home mortgages, vehicle loans, and other secured debt, fill in lines 33a through 33e.**

To calculate the total average monthly payment, add all amounts that are contractually due to each secured creditor in the 60 months after you file for bankruptcy. Then divide by 60.

Mortgages on your home:**Average monthly payment**

33a. Copy line 9b here → \$ _____

Loans on your first two vehicles:

33b. Copy line 13b here. → \$ _____

33c. Copy line 13e here. → \$ _____

33d. List other secured debts:

Name of each creditor for other secured debt**Identify property that secures the debt****Does payment include taxes or insurance?**
☐ No
☐ Yes

\$ _____

☐ No
☐ Yes

\$ _____

☐ No
☐ Yes

+ \$ _____

33e. Total average monthly payment. Add lines 33a through 33d. \$ _____ **Copy total here →** \$ _____**34. Are any debts that you listed in line 33 secured by your primary residence, a vehicle, or other property necessary for your support or the support of your dependents?**☐ No. Go to line 35.

☐ Yes. State any amount that you must pay to a creditor, in addition to the payments listed in line 33, to keep possession of your property (called the *cure amount*). Next, divide by 60 and fill in the information below.

Name of the creditor**Identify property that secures the debt****Total cure amount****Monthly cure amount**

_____ \$ _____ + 60 = \$ _____

_____ \$ _____ + 60 = \$ _____

_____ \$ _____ + 60 = + \$ _____

Total

\$ _____

Copy total here →

\$ _____

35. Do you owe any priority claims such as a priority tax, child support, or alimony — that are past due as of the filing date of your bankruptcy case? 11 U.S.C. § 507.☐ No. Go to line 36.

☐ Yes. Fill in the total amount of all of these priority claims. Do not include current or ongoing priority claims, such as those you listed in line 19.

Total amount of all past-due priority claims \$ _____ ÷ 60 = \$ _____

36. Are you eligible to file a case under Chapter 13? 11 U.S.C. § 109(e).

For more information, go online using the link for *Bankruptcy Basics* specified in the separate instructions for this form. *Bankruptcy Basics* may also be available at the bankruptcy clerk's office.

- ☐ No. Go to line 37.
- ☐ Yes. Fill in the following information.

Projected monthly plan payment if you were filing under Chapter 13

\$ _____

Current multiplier for your district as stated on the list issued by the Administrative Office of the United States Courts (for districts in Alabama and North Carolina) or by the Executive Office for United States Trustees (for all other districts).

X _____

To find a list of district multipliers that includes your district, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.

Average monthly administrative expense if you were filing under Chapter 13

\$ _____

Copy total
here →

\$ _____

37. Add all of the deductions for debt payment.

Add lines 33e through 36.

\$ _____

Total Deductions from Income**38. Add all of the allowed deductions.**

Copy line 24, *All of the expenses allowed under IRS expense allowances*

\$ _____

Copy line 32, *All of the additional expense deductions*

\$ _____

Copy line 37, *All of the deductions for debt payment*

+ \$ _____

Total deductions

\$ _____

Copy total here →

\$ _____

Part 3: Determine Whether There Is a Presumption of Abuse**39. Calculate monthly disposable income for 60 months**

39a. Copy line 4, *adjusted current monthly income*

\$ _____

39b. Copy line 38, *Total deductions*

- \$ _____

39c. Monthly disposable income. 11 U.S.C. § 707(b)(2).
Subtract line 39b from line 39a.

\$ _____

Copy
here →

\$ _____

For the next 60 months (5 years)

x 60

39d. **Total.** Multiply line 39c by 60.

\$ _____

Copy
here →

\$ _____

40. Find out whether there is a presumption of abuse. Check the box that applies:

- ☐ **The line 39d is less than \$7,700*.** On the top of page 1 of this form, check box 1, *There is no presumption of abuse.* Go to Part 5.
- ☐ **The line 39d is more than \$12,850*.** On the top of page 1 of this form, check box 2, *There is a presumption of abuse.* You may fill out Part 4 if you claim special circumstances. Then go to Part 5.
- ☐ **The line 39d is at least \$7,700*, but not more than \$12,850*.** Go to line 41.

* Subject to adjustment on 4/01/19, and every 3 years after that for cases filed on or after the date of adjustment.

41. 41a. Fill in the amount of your total nonpriority unsecured debt. If you filled out A Summary of Your Assets and Liabilities and Certain Statistical Information Schedules (Official Form 106Sum), you may refer to line 3b on that form.....

\$ _____

x .25

- 41b. 25% of your total nonpriority unsecured debt. 11 U.S.C. § 707(b)(2)(A)(i)(I).
Multiply line 41a by 0.25.

\$ _____

Copy
here →

\$ _____

42. Determine whether the income you have left over after subtracting all allowed deductions is enough to pay 25% of your unsecured, nonpriority debt.

Check the box that applies:

- ☐ Line 39d is less than line 41b. On the top of page 1 of this form, check box 1, *There is no presumption of abuse.* Go to Part 5.
- ☐ Line 39d is equal to or more than line 41b. On the top of page 1 of this form, check box 2, *There is a presumption of abuse.* You may fill out Part 4 if you claim special circumstances. Then go to Part 5.

Part 4: Give Details About Special Circumstances

43. Do you have any special circumstances that justify additional expenses or adjustments of current monthly income for which there is no reasonable alternative? 11 U.S.C. § 707(b)(2)(B).

- ☐ No. Go to Part 5.
- ☐ Yes. Fill in the following information. All figures should reflect your average monthly expense or income adjustment for each item. You may include expenses you listed in line 25.

You must give a detailed explanation of the special circumstances that make the expenses or income adjustments necessary and reasonable. You must also give your case trustee documentation of your actual expenses or income adjustments.

Give a detailed explanation of the special circumstances

Average monthly expense
or income adjustment

| | |
|-------|----------|
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |
| _____ | \$ _____ |

Part 5: Sign Below

By signing here, I declare under penalty of perjury that the information on this statement and in any attachments is true and correct.

X

Signature of Debtor 1

Date
MM / DD / YYYY

X

Signature of Debtor 2

Date
MM / DD / YYYY

United States Bankruptcy Court, District of Nevada

Creditor Matrix Example

Your final creditor matrix should be formatted in one column with at least one line separating each creditor. It should also be in typeface, Courier and all text should be in CAPS format.

Visit the **Creditor Matrix Requirements** (<http://www.nvb.uscourts.gov/electronic-case-filing/resources-documentation/procedures/creditor-matrix/>) page to understand how to create the matrix.

```
INTERNAL REVENUE SERVICE
110 CITY PARKWAY, STOP 5028
LAS VEGAS, NV 89106

RC WILLEY FINANCIAL SERVICES
POB 65320
SALT LAKE CITY, UT 84165

WFS FINANCIAL
POB 25341
SANTA ANA, CA 92799

SPRINT PCS
POB 7850
BALDWIN PARK, CA 91706

WACHOVIA BANK
2300 W. SAHARA AVE. #500
LAS VEGAS, NV 89102

CONSUMER DEBTOR SERVICES
1606 E. TURKEYFOOT LAKE ROAD
AKRON, OH 44312
```

1 Name, Address, Telephone No., Bar Number, Fax No. & E-mail address

2
3
4 **UNITED STATES BANKRUPTCY COURT**
5 **DISTRICT OF NEVADA**

6
7 In re: *(Name of Debtor)*

BK-

Chapter:

8
9 VERIFICATION OF CREDITOR MATRIX

10 Debtor(s)

11
12 The above named Debtor hereby verifies that the attached list of creditors is true and correct to
13 to the best of his/her knowledge.

14
15 Date _____

Signature _____

16
17
18 Date _____

Signature _____

19
20
21
22
23
24
25
26 NVB 1007-1 (12/15)

Fill in this information to identify the case:

| | | | |
|---|------------|-------------|------------------------------|
| Debtor 1 | First Name | Middle Name | Last Name |
| Debtor 2 (Spouse, if filing) | First Name | Middle Name | Last Name |
| United States Bankruptcy Court for the: | | | District of _____ (State) |
| Case number (If known) _____ | | | |

Official Form 423

Certification About a Financial Management Course

12/15

If you are an individual, you must take an approved course about personal financial management if:

- you filed for bankruptcy under chapter 7 or 13, or
- you filed for bankruptcy under chapter 11 and § 1141 (d)(3) does not apply.

In a joint case, each debtor must take the course. 11 U.S.C. §§ 727(a)(11) and 1328(g).

After you finish the course, the provider will give you a certificate. The provider may notify the court that you have completed the course. If the provider does notify the court, you need not file this form. If the provider does not notify the court, then Debtor 1 and Debtor 2 must each file this form with the certificate number before your debts will be discharged.

- If you filed under chapter 7 and you need to file this form, file it within 60 days after the first date set for the meeting of creditors under § 341 of the Bankruptcy Code.
- If you filed under chapter 11 or 13 and you need to file this form, file it before you make the last payment that your plan requires or before you file a motion for a discharge under § 1141(d)(5)(B) or § 1328(b) of the Bankruptcy Code, Fed. R. Bankr. P. 1007(c).

In some cases, the court can waive the requirement to take the financial management course. To have the requirement waived, you must file a motion with the court and obtain a court order.

Part 1: Tell the Court About the Required Course

You must check one:

- ☐ I completed an approved course in personal financial management:

Date I took the course _____
MM / DD / YYYY

Name of approved provider _____

Certificate number _____

- ☐ I am not required to complete a course in personal financial management because the court has granted my motion for a waiver of the requirement based on (check one):

- ☐ **Incapacity.** I have a mental illness or a mental deficiency that makes me incapable of realizing or making rational decisions about finances.
- ☐ **Disability.** My physical disability causes me to be unable to complete a course in personal financial management in person, by phone, or through the Internet, even after I reasonably tried to do so.
- ☐ **Active duty.** I am currently on active military duty in a military combat zone.
- ☐ **Residence.** I live in a district in which the United States trustee (or bankruptcy administrator) has determined that the approved instructional courses cannot adequately meet my needs.

Part 2: Sign Here

I certify that the information I have provided is true and correct.

Signature of debtor named on certificate _____

Printed name of debtor _____

Date _____
MM / DD / YYYY

TRUSTEE QUESTIONNAIRE

Trustee Questionnaire (sample form)

Case No. _____

Debtor _____

Co-Debtor _____

Attorney: _____

BANKRUPTCY QUESTIONNAIRE & DOCUMENT REQUEST

**(To be completed by each debtor and provided to your trustee along with required documents
no later than ten (10) days prior to the Meeting of Creditors)**

PART I – INTRODUCTION AND INSTRUCTIONS

REQUIREMENTS OF THE BANKRUPTCY LAW: (Bankruptcy Abuse Prevention and Consumer Protection Act of 2005):

The Bankruptcy Law has placed numerous requirements on the Debtors, their attorney, and the Bankruptcy Trustee. To meet these requirements, you must complete and return this Bankruptcy Questionnaire to your Trustee no later than ten (10) days prior to the First Meeting of Creditors. You MUST also attend the Meeting of Creditors. Failure to complete and return this Questionnaire and/or attend the Meeting of Creditors may result in the dismissal of your case.

The name & address of the Trustee, as well as the date & time of your meeting, are on the document entitled: “Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines” that you received from the Court.

IF YOU HAVE ANY QUESTIONS: or require further information, you should consult with your attorney or other legal sources, the Trustee cannot provide legal advice.

YOU HAVE A DUTY TO COOPERATE WITH YOUR TRUSTEE:

As part of your Bankruptcy, the Trustee must examine and investigate your financial affairs and related information. Under the law, it is your duty to fully cooperate with and assist the Trustee in this investigation. These are standard questions and documents that each debtor must answer and provide to the Trustee. You may receive further requests for additional documents from the Trustee. The Trustee will conduct further investigation as needed. You are obligated to provide this additional information as well.

YOUR ANSWERS MUST BE TRUE, COMPLETE AND ACCURATE:

It is important that all your answers to the questions are true, complete and accurate. If you have made any mistakes in your bankruptcy documents, it is absolutely essential that you inform your trustee by filing **amendments to the petition** correcting those mistakes immediately. Failure to do so may result in severe consequences. It is a federal crime to intentionally give false or misleading information and testimony to the bankruptcy trustee.

UPON THE FILING OF BANKRUPTCY, ALL OF YOUR PROPERTY BECOMES PROPERTY OF THE BANKRUPTCY ESTATE:

The bankruptcy estate holds legal title to all of your assets, whether listed or not, real property or personal property, tangible or intangible, separate and community, from the date of filing forward until administered or abandoned. Many of these assets may or may not be exempt from case administration. This issue will be addressed through the trustee's administration of your case. Please note that in certain cases “exempt” property may be sold to satisfy certain taxes and/or domestic support obligations.

Please also be advised that if you are entitled to a refund, (from any source including but not limited to the IRS, the state, etc), bonus stock options, litigation settlement, or are the recipient or have the right to be a recipient of an inheritance consisting of real or personal property, tangible or intangible assets, or should become entitled to any funds, rights, inheritances after the date of filing of your petition you must inform your trustee in writing of such entitlement. These assets may be property of the estate and therefore can only be legally administered by the estate. Failure to do so may be deemed **BANKRUPTCY FRAUD.**

If the trustee believes that there are non-exempt assets that can be sold for the benefit of your creditors, the trustee will file a report with the court designating the case as an “asset case”. An asset case will not be closed until all the assets are liquidated, final accounts filed and funds distributed. *Until your case is closed, you may not be able to sell, refinance, or further encumber any of your property – even if you have claimed it as exempt and even if you have already received your discharge.*

THE DISCHARGE.

If a debtor has satisfied all of their duties, and no objection to the discharge has been filed, the discharge will be issued by the Bankruptcy Court a few months after the Meeting of Creditors. (Please note the discharge deadline is on your Notice). **THE DISCHARGE WILL NOT BE ISSUED UNTIL THE CERTIFICATE OF COMPLETION OF THE FINANCIAL MANAGEMENT COURSE HAS BEEN FILED WITH THE COURT.** The Trustee may file a motion requesting an extension of time in which the Trustee and the U.S. Trustee may file an objection to the entry of discharge to allow you the additional time to complete your duties. In most cases the request will be for a 6 month extension with the provision that upon compliance by you, a declaration can be filed releasing the request and allowing the entry of your discharge.

PART II – STATEMENT OF BASIC FACTS

DEBTOR and/or CO - DEBTOR

My name is: _____

My physical address is: _____

My phone numbers are: _____

(hm) _____

(wk) _____

(cell) _____

email _____

Marital status is: _____

(Please specify, Single, Married, Divorced, Widowed)

No. of dependents claimed on last Tax Return: _____

Filing status on tax return _____

How many dependents live with you now? _____

The number of people living at your address: _____

My name is: _____

My physical address is: _____

My phone numbers are: _____

(hm) _____

(wk) _____

(cell) _____

email _____

Marital status is: _____

(Please specify, Single, Married, Divorced, Widowed)

No. of dependents claimed on last Tax Return: _____

Filing status on tax return _____

How many dependents live with you now? _____

The number of people living at your address: _____

PART III - STANDARD QUESTIONS

(This section must be answered by both the Debtor and the Co-Debtor, where applicable. If an answer to a question requires further explanation, attach a separate sheet of paper and supporting documentation)

| | Debtor | Co-Debtor | | | |
|---|------------------------|------------------|--|-----|----|
| | Circle response | | | | |
| 1. Did you personally review and then sign the Petition, Schedules and other Documents Filed with the court? | Yes | No | | Yes | No |
| 2. Is the information contained in your documents true, complete and accurate? | Yes | No | | Yes | No |
| 3. Have you listed everything you own in these schedules? | Yes | No | | Yes | No |
| 4. Have you lived in Nevada continuously for the last 3½ years? If not, please list all your addresses during the last 3½ years on a separate sheet of paper and attach to this Questionnaire. | Yes | No | | Yes | No |
| 5. Do you have any ownership interest (present, future, contingent or disputed) in any real property, personal property, corporation, partnership, business venture, stock options, investment plans, or life insurance policies that are not listed in your Schedules? | Yes | No | | Yes | No |
| 6. Have you ever filed bankruptcy before? If yes when? _____ | Yes | No | | Yes | No |
| 7. Have you transferred, sold or given away any thing to anyone during the last 12 months? | Yes | No | | Yes | No |
| 8. Have you owned, sold or transferred any real estate during the last four (4) years? | Yes | No | | Yes | No |
| 9. Does anyone owe you any money for any reason? | Yes | No | | Yes | No |
| 10. Do you have any claim against anyone that is not listed in your Schedules? | Yes | No | | Yes | No |
| 11. Have you filed or do you have a reason to file any lawsuit against any one for any reason? | Yes | No | | Yes | No |
| 12. Are you a beneficiary of any will, trust or estate? | Yes | No | | Yes | No |
| 13. Are you entitled to any life insurance proceeds or an inheritance as a result of someone's death? | Yes | No | | Yes | No |

- | | | | | | | |
|-----|--|-----|----|--|-----|----|
| 14. | Has there been a change in your financial situation since the filing of the bankruptcy? | Yes | No | | Yes | No |
| 15. | Did you make any payments totaling over \$600, to any unsecured creditor, during the last 90 DAYS PRIOR to filing Bankruptcy? | Yes | No | | Yes | No |
| 16. | Did you rearrange your financial affairs in any way in preparation for filing this bankruptcy? | Yes | No | | Yes | No |
| 17. | Have you transferred any credit card balances from one to another during the last six months? | Yes | No | | Yes | No |
| 18. | Is anyone holding or storing anything on your behalf? | Yes | No | | Yes | No |
| 19. | Do you have any safe-deposit boxes or a self-storage unit? (If yes, please provide its location and list of its contents) | Yes | No | | Yes | No |
| 20. | Have you repaid any loans to any friends and/or relatives during the past 12 months? | Yes | No | | Yes | No |
| 21. | If you own your home, when did you purchase it? What was the Purchase Price? _____ | Yes | No | | Yes | No |
| 22. | Are you currently participating in any type of educational savings plans, sending your child to a private school and/or paying extra educational expenses? | Yes | No | | Yes | No |

PART IV – DOCUMENTS TO BE SUBMITTED WITH THIS QUESTIONNAIRE

THE FOLLOWING DOCUMENTS MUST BE SUBMITTED TO THE TRUSTEE ALONG WITH THIS QUESTIONNAIRE UNLESS PREVIOUSLY FILED WITH THE COURT WITH YOUR BANKRUPTCY PAPERS:

COPIES —MUST BE MAILED TO THE TRUSTEE 10 DAYS PRIOR TO THE MEETING OF CREDITORS.

The Trustee will not make copies for you or return the documentation provided.

Do not send documents by certified or registered mail- do not fax documents

1. **Copy of the complete tax return (s)(incl. schedules) for the prior two (2) years ending immediately preceding the bankruptcy filing.** Must be provided to the trustee's office at least 10 days prior to the Meeting of Creditors.
 - a. For bankruptcies filed between January 1st and April 15th where preparation of the tax return is still pending on the date of the Meeting of Creditors, the return must be delivered to the trustee's office within 10 days after the return is prepared, but no later than April 15th. The copy must be delivered in person or by mail.
2. **Statements on all financial accounts:** (for the prior 4 months and thru the date the petition was filed)
 - a. checking accounts, savings accounts, money market accounts, IRA's, ROTH IRA's, Educational IRA's, pensions, brokerage accounts, mutual funds, life insurance, etc., that you own or that you co-sign on with anyone else. Copies of checks over \$600.00 or a check register may be provided. This also includes copies of **Notes receivable, Accounts receivable & stock certificates,**
3. **Evidence of current income:** (the most recent 3 months: pay stubs, dividends, income and expense). Documentation for any and all sources of income, (i.e. Soc. Sec. Dividends, annuities, etc)
4. **Picture I.D. establishing identity: MUST BE BROUGHT TO THE MEETING OF CREDITORS**
 - a. (i.e.- driver's license or a passport, work card, health card, or military I.D.)
5. **Social Security Verification: MUST BE BROUGHT TO THE MEETING OF CREDITORS**
 - a. in the form of a document establishing the Social Security Number such as a Social Security Card, W-2 or Military I.D.
6. **Copy of the Credit Counseling Certificate: MUST BE BROUGHT TO THE MEETING OF CREDITORS**
 - a. Required prior to filing the bankruptcy.
7. **Copy of the Financial Management Certificate.**
 - a. Required to obtain the discharge. Mail to the Trustee when completed.
8. **Copy of the property settlement agreement from any divorce obtained within 4 years of filing for bankruptcy.**
9. **If you are filing bankruptcy without your spouse, on a separate sheet, list the date married, assets which are held in the spouse's name or both names which are not already listed on the Schedules.**
10. **If Renting, copy of rental agreement with the landlord.**