



# ROACH LAW

CHARLES S. ROACH, ESQ.  
CROACH@CROACHLAW.COM

PAULA HUNDLEY,  
PARALEGAL  
PAULA@CROACHLAW.COM

KATE VANNOY  
LEGAL ASSISTANT  
KATE@CROACHLAW.COM

7855 S. EMERSON AVENUE, SUITE U  
INDIANAPOLIS, INDIANA 46237  
(317) 888-7620 (O)  
(317) 608-6725 (F)

CHAD DICKERSON, ESQ.  
OF COUNSEL  
CHAD@CROACHLAW.COM

[WWW.CROACHLAW.COM](http://WWW.CROACHLAW.COM)  
[WWW.INDYBANKRUPTCYLAWYER.COM](http://WWW.INDYBANKRUPTCYLAWYER.COM)

## AGREEMENT FOR BANKRUPTCY SERVICES

### 1. Bankruptcy Services. *We are a debt relief agency helping people file bankruptcy.*

*(i) Included Services.*

- \* Consultation concerning bankruptcy
- \* Preparation of documents and schedules necessary to start the case
- \* Attendance at the §341 meeting of creditors hearing with bankruptcy trustee
- \* Reaffirmations and routine communications with trustee/creditors

*(ii) Excluded Services (may be provided on an hourly billing rate at client's request).*

- \* Any other matters which may arise in the case (Examples: objections to exemptions, objections to discharge, or complaints to determine dischargeability)
- \* Re-scheduled 341 Meetings of Creditor caused by the client or any other "special" hearings
- \* Negotiation of redemption agreements or tax matters (IRS, Indiana Dept. of Revenue, etc.)

This Agreement does not obligate this Office to represent you in any matters other than those described in paragraph (i) above. To the extent we are willing to represent you in additional matters, you will be billed separately on an hourly basis. You understand that we do not guarantee a successful result but we will use best efforts to achieve a favorable outcome. If there is any litigation concerning this Agreement, the prevailing party shall be entitled to attorney fees and expenses as a part of its damages.

### 2. Fees and Payment Plans

**You can retain us today for any bankruptcy case for \$100.** The total fees by case are as follows:

<b>Chapter 7:</b>	Individual	\$1600	+ Court Filing Fee	=	<b>\$1,900</b>
	Individual (Business Owner)	\$1700	+ Court Filing Fee	=	<b>\$2,000</b>
	Joint (H&W)	\$1800	+ Court Filing Fee	=	<b>\$2,100</b>

---

<b>Chapter 13:</b>	Individual or Joint:	\$4000	+ Court Filing Fee	=	<b>\$4300</b>
	Payment of (i) <u>\$2000</u> Prior to Filing, and (ii) <u>\$2300</u> via Plan Wage Assignment				
	Case Conversion:	\$800			

NOTE: Missed meetings will result in an additional fee of \$75. NOTE: In the event that a petition is filed and the plan is not completed prior to full payment of attorneys' fees, the client will remain responsible for one-half of such remaining balance. Client will be billed for this balance upon case dismissal. In this event all costs of enforcement, including attorneys' fees, will be the responsibility of Client.

---

The following services will be charged hourly at \$175 unless a flat fee is stated:

Chapter 7 and 13: Motion to Avoid Judicial Lien on Real Estate: \$300 per judgment (\$300 fee to reopen case if necessary). Please tell us if you own real estate you plan to keep and have any lawsuits that are judgments against you.

Chapter 13: Amendments (adding creditors, correcting information): \$100 each time  
Missed Meeting of Creditors: \$75  
Response to Motion to Dismiss (for missed payments): Hourly

**\* PAYMENT OF ATTORNEYS' FEES ARE NON-REFUNDABLE IN THE EVENT CLIENT DOES NOT COMPLETE THE BANKRUPTCY FILING.** Confirming you've hired us to creditors, opening a file and providing initial evaluation/services, etc., starts when we receive your initial payment. Therefore, only court filing fees will be returned to Client within thirty (30) days of Client's request to terminate. If we determine at any time that we should no longer represent you, we have the right to do so after giving notice to you. Client agrees to cooperate in allowing our withdrawal.

### **3. Process – DO NOT GIVE US ANY DOCUMENTS UNTIL AFTER YOU'VE PAID IN FULL**

- (1) HOMEWORK:
  - (a) QUESTIONNAIRE – Please complete as much as possible
  - (b) DOCUMENTS (See checklist on page 5) – We need ALL of these at ONE TIME
  - (c) FIRST FINANCIAL COUNSELING COURSE – [www.debthelper.com](http://www.debthelper.com) – Please complete BEFORE turning in documents since this is a court requirement
  - (d) PAYMENT
  
- (2) PETITION: Review and finalize petition. Sign, and we e-file with court.
  
- (3) COMPLETION:
  - (a) SECOND FINANCIAL COURSE – [www.debthelper.com](http://www.debthelper.com)  
Required by the court before case can be closed
  - (b) HEARING - Called a “Meeting of Creditors”, about 30 days after filing (with Attorney Chad Dickerson, not Chuck)
  - (c) DISCHARGE (or Plan Approval if Ch. 13) – Note: We have no control over when the court closes a case.

### **4. Information from the Bankruptcy Court – Court Requires Your Review**

“IMPORTANT INFORMATION ABOUT BANKRUPTCY SERVICES FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER”

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney, or you can get help from a bankruptcy petition preparer who is not an attorney in some areas.

THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST. Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case so you can determine how much service you need. Before filing a bankruptcy case, either you or your attorney should determine what different forms of debt relief are available to you, and which form is most beneficial to you under the Bankruptcy Code. Be sure you understand the relief you can obtain and its limits. To file a bankruptcy case, a document called a petition needs to be prepared correctly and e-filed with the bankruptcy court. Once your case starts, you will have to attend a meeting of creditors where you may be questioned by a court official called a “trustee” and sometimes by creditors. If you choose to file a Chapter 13 case (when you repay your creditors over 3 to 5 years), you may want help with preparing your Chapter 13 Plan and the

hearing on your Plan. If you choose another type of relief under the Bankruptcy Code other than Chapter 7 or Chapter 13, you need to speak to someone familiar with the type of relief. Your bankruptcy case may involve litigation (going to court versus a meeting with the trustee). You are allowed to represent yourself in litigation in bankruptcy court, but only **attorneys** can give you legal advice.

## 5. Chapter 7 versus Chapter 13

Chapter 7 is the most common type of bankruptcy. The typical Chapter 7 client has assets (forms of property) that can be protected (exempted), which means they can keep most or all property. In Indiana, the current property exemptions per person include a personal home (\$19,300 per debtor); tangible personal property (furniture, clothes, etc.) (\$10,250 per debtor); cash (\$400); and various others. At the end of a Chapter 7 bankruptcy, the debtor receives a discharge of most debts. *Certain debts are not dischargeable, including student loans, child support, and recent taxes.*

Bankruptcy law requires passing an income-based "means test" to decide if individual debtors qualify for Chapter 7. If the debtor's "current monthly income" is more than the average local income where the debtor lives, the law presumes that the filing should be a Chapter 13. The amounts for Indiana are:

<b>1-person household:</b>	<b>\$47,965</b>	<b>4-person household:</b>	<b>\$86,076</b>
<b>2-person household:</b>	<b>\$61,811</b>	<b>5-person household:</b>	<b>\$95,076</b>
<b>3-person household:</b>	<b>\$72,228</b>	<b>6-person household:</b>	<b>\$105,076</b>

Chapter 13 is for a debtor who has regular income and can repay some or all debts. Chapter 13 allows the debtor to propose a "Plan payment" to repay creditors over time, usually five years.

## 6. Your Property – What Do You Get to Keep?

In most Chapter 7 cases, the debtor can keep most, if not all, of their property. The court determines dollar amounts for property categories that you can keep, called "exempt property (protected)." Most debtors have property that is all protected. There are three main types of exemptions: (i) your home; (ii) your personal items (furniture, cars, jewelry, clothing); and (iii) bank accounts and cash. We will advise you about your situation and let you know if any of your property might be at risk of being taken by the trustee.

**Note in regard to lawsuits, judgments and garnishments:** If you have a lawsuit pending against you, if it becomes a judgment (whether after a hearing or by default), your bank accounts can be frozen immediately and your wages can be garnished. This can happen even if you have hired us. The only way to avoid the freezing of bank accounts or garnishments is by actually FILING YOUR CASE. If you have judgments against you, or lawsuits that may become judgments, we suggest you do not keep large amounts of money in any bank account. Instead use cash, money orders, or prepaid debit cards. If bank accounts are frozen before we e-file your case, we have no way to protect those funds.

**\* TAX REFUNDS \* PLEASE READ CAREFULLY.** One common question is whether a tax refund will be taken by the trustee. At any time during the year, you have likely accumulated a "pool" of tax withholdings you have taken out of your paychecks. When you file your taxes, if you have "over-withheld", you will receive a refund. This is part of the "bank accounts and cash" you can keep mentioned above. Each person is only allowed to have \$400 total on the date their case is filed. So, if you receive a tax refund of more than \$400 plus bank account totals, depending on the time you file, the trustee might claim your refund (or part of it) to pay your creditors. In order to avoid this, if you think you'll receive a tax refund, it is best to file your bankruptcy ONLY after you have: (i) filed your tax return, (ii) received your refund, and (iii) spent the refund on necessary living expenses. Necessary expenses include catch-up on past due house and car payments, necessary home or car repairs (not cosmetic), or other necessary expenses (eye/dental exams, extra groceries, etc.). Do not spend the refund on vacations or luxury items (e.g., big screen TV). If you expect a tax refund (or any significant cash income), please tell us so we can advise you. After your case is filed, there is nothing we can do to protect a possible tax refund.

**Agreement and Acknowledgment of Obligations of Bankruptcy Filers:** Please carefully review the information provided to you by our office in meetings, on our website and/or in documents. We are providing written information because it is extremely important that you understand the bankruptcy process and your obligations. By signing this Agreement, and completing the Bankruptcy Questionnaire, you agree that we have discussed the legal and practical aspects of your filing and you understand these issues. Please also be aware that random case audits by the U.S. Trustee are always a possibility, and by signing this, you acknowledge that full cooperation is necessary when this occurs.

READ CAREFULLY: Please keep in mind that the bankruptcy proceeding is on your behalf and based on information you provide. You are responsible for all information that is (or is not) listed on your bankruptcy petition. We cannot include any information on your petition that you haven't given us. Since you must review your petition prior to us e-filing it, if a creditor is missing and the petition has to be amended (fixed) after the filing, you will be charged an amendment fee. Please provide true and accurate information, as our office relies on you regarding the ownership and value of your property, and information regarding your debts, income and expenses. You are sworn under oath at your hearing with the trustee and there are CRIMINAL PENALTIES and CIVIL LIABILITIES if you knowingly fail to give us information regarding all of your assets, debts, and property.

**NOTE: WE MAINTAIN ONLY A LIMITED NUMBER OF DOCUMENTS RELATED TO YOUR CASE AFTER IT IS CLOSED. FOR STORAGE REASONS, THE DOCUMENTS YOU GIVE US MUST BE PICKED UP WITHIN TWO WEEKS AFTER YOUR CASE IS CLOSED. OTHERWISE THEY WILL BE SHREDDED.**

*The undersigned acknowledge[s] that he/she has read the above agreement, understands the information, and agrees to the terms and conditions described.*

*Signature:* \_\_\_\_\_ *Printed:* \_\_\_\_\_ Date: \_\_\_\_\_

*Signature* \_\_\_\_\_ *Printed:* \_\_\_\_\_ Date: \_\_\_\_\_

\* \* \* \* \*

A final note...the minute you hire a law firm -- even before your case is filed -- you can tell your creditors to contact that attorney. Under the Fair Debt Collection Practices Act, once a creditor is told that you are filing bankruptcy or that you have hired an attorney to file bankruptcy, they must not contact you, and instead must contact your attorney.

The minute you hire us, you will be listed in our client system and can tell creditors to contact us. You can then stop answering your phone if you suspect it's a bill collector and just pitch duplicate bills that you receive. After you hire us, you can tell creditors over the phone that you are filing for bankruptcy, your attorney firm is Roach Law Office, and then give them our number or email. Or you can send them a quick note saying that you no longer wish to be contacted and under the Fair Debt Collection Practices Act, you have an attorney who is helping with your debt. So, creditors must stop contacting you once they receive notice by mail or you inform them over the phone.

Some creditors will still violate the law, and continue to call or send you letters when you tell them you've hired a bankruptcy attorney. If that occurs, please give us the name, address, and information regarding who you spoke to or give us what you receive in the mail. If creditors continue to harass you, you may be able to file a separate lawsuit under the Fair Debt Collection Practices Act at no upfront cost to you (the attorney fee is paid from the lawsuit amount owed by the creditor).

## DOCUMENT CHECKLIST

Please note our office policies for providing these documents:

\* ALL documents are to be dropped off (or emailed/faxed) AT ONE TIME, and ONLY 30 DAYS PRIOR to the date you wish to file and AFTER YOU'VE PAID IN FULL. (This is due to storage and stale data reasons.) We do not accept documents "piece by piece (a few at a time)", other than sending email attachments separately.

\* Please provide copies via email or fax when possible. If you must provide hard copies, please leave the documents in the drop box across from Chuck's office, or if the main entry door is locked use the secure, large, gray drop box to the right of the main, outside door. Please alert staff after you leave documents.

\* Documents must be provided for both husband and wife if filing jointly. If married but filing alone, spouse's paystubs must be provided.

\* After your fee is paid in full, all documents must be provided within SIX (6) months of the date you are paid in full. If this does not occur, the file will be closed and will only be re-opened upon payment of a \$300 administrative fee.

- \_\_\_\_\_ 1. ***PHOTO ID COPY***
  - \_\_\_\_\_ 2. ***ORIGINAL OR REPLACEMENT SOCIAL SECURITY CARD COPY***
  - \_\_\_\_\_ 3. ***FEDERAL AND STATE TAX RETURNS FOR PAST TWO (2) YEARS***
  - \_\_\_\_\_ 4. ***BANK STATEMENTS (All accounts for THREE (3) months before filing)***
  - \_\_\_\_\_ 5. ***PAYSTUBS FOR SIX (6) MONTHS BEFORE FILING (or proof of ANY income)***
  - \_\_\_\_\_ 6. ***REAL ESTATE VALUE DOCUMENTATION FOR HOMEOWNERS (Property Tax Notice or Written Opinion of Real Estate Agent)***
  - \_\_\_\_\_ 7. ***LIST OF ALL CREDITORS INCLUDING:***
    - Name*
    - Address*
    - Account Number*
    - Approximate Date Debt Started*
    - Approximate Amount Owed*
    - Type of debt (credit card, medical, car/house/personal loan)*
- \* NOTE ON CREDIT REPORTS: WE DO NOT OBTAIN CREDIT REPORTS FOR YOU. WE RECOMMEND THAT YOU OBTAIN YOUR CREDIT REPORT AND LIST THOSE CREDITORS (THIS CAN OFTEN BE DONE AT NO COST TO YOU). YOU MAY GO TO [WWW.ANNUALCREDITREPORT.COM](http://WWW.ANNUALCREDITREPORT.COM), [WWW QUIZZLE.COM](http://WWW QUIZZLE.COM), [WWW.CREDITKARMA.COM](http://WWW.CREDITKARMA.COM), OR OTHER ONLINE SERVICES. PLEASE NOTE THAT MEDICAL DEBT IS OFTEN NOT LISTED ON CREDIT REPORTS.***
- \_\_\_\_\_ 8. ***OTHER:*** *Divorce and child support documents (if within past 4 years)*  
*Private school tuition documents*  
*Court cases you are involved in – PLEASE TELL US ABOUT ANY JUDGMENTS AGAINST YOU*

## BANKRUPTCY QUESTIONNAIRE

**I. GENERAL INFORMATION – DATE YOU COMPLETED THIS: \_\_\_\_\_**

Individual \_\_\_\_\_

Joint (Husband and Wife) \_\_\_\_\_

**DEBTOR**

**DEBTOR'S SPOUSE**

LEGAL NAME (LAST, FIRST, MIDDLE)		
PLEASE LIST ANY OTHER NAME YOU HAVE USED WITHIN THE LAST 8 YEARS (MAIDEN NAME, PRIOR MARRIED NAMES, NICKNAMES, ETC.):		
CURRENT ADDRESS:		
DO YOU OWN OR RENT YOUR CURRENT RESIDENCE?		
IF YOU HAVE LIVED AT OTHER ADDRESSES IN THE LAST THREE (3) YEARS, PLEASE LIST FULL ADDRESS AND DATES YOU LIVED THERE:		
SOCIAL SECURITY NUMBER:		
NAME AND ADDRESS OF EMPLOYER:		
BEST PHONE NUMBER FOR YOU:		
EMAIL ADDRESS		
MARRIED OR SINGLE:		
HAVE YOU BEEN DIVORCED IN THE PAST FOUR (4) YEARS?		
HAVE YOU FILED BANKRUPTCY IN THE PAST EIGHT YEARS? IF YES, IN WHAT YEAR AND STATE?		
DATE FINANCIAL COUNSELING COURSE COMPLETED:		

## II. ASSETS

### 1. REAL PROPERTY – COMPLETE ONLY IF YOU ARE BUYING/OWN YOUR HOME. HOME EQUITY OF \$19,300 PER DEBTOR ALLOWED

	1st PROPERTY (Residence)	2nd PROPERTY (if applicable) (e.g., Rental or Vacation Home)
WHOSE NAMES ARE ON THE TITLE:		
MORTGAGE COMPANY NAME AND ADDRESS		
MORTGAGE ACCT NUMBER ORIGINAL AMOUNT BORROWED CURRENT AMOUNT OWED		
Second Mortgage Company Name, Address, Phone No. Account No. Original Balance Current Balance		
CURRENT VALUE OF PROPERTY		
PURCHASE DATE AND AMOUNT		
DO YOU WANT TO KEEP THE HOUSE?		
PLEASE LIST HOW MANY MONTHS YOU ARE BEHIND ON PAYMENT, IF THIS APPLIES		
PLEASE LIST HOW FAR BEHIND YOU ARE ON PROPERTY TAXES, IF THIS APPLIES		

### 2. PERSONAL PROPERTY AND CASH [1, 2]

**NOTE: Bank account & cash balances of more than \$400.00 PER DEBTOR on the DATE OF FILING will be required to eventually be turned over to the bankruptcy trustee. We will obtain balance on the date your petition is filed. Include ALL accounts that have your name on them, even if you think of them as someone else's account (e.g., child or elderly parent). Include non-traditional accounts such as PayPal and Amazon Merchant and pre-paid debit cards for unemployment, tax refunds, child support, or other funds. PERSONAL PROPERTY (FURNITURE, CARS, ETC.) PROTECTED UP TO \$10,250 PER DEBTOR.**

ACCOUNT TYPE (Checking, Savings, Other)	BANK NAME	ACCOUNT NUMBER	BALANCE	OTHER NAMES ON ACCOUNT
CASH ON HAND	N/A	N/A	Will obtain on filing date	N/A
			Will obtain on filing date	
			Will obtain on filing date	
			Will obtain on filing date	
			Will obtain on filing date	
			Will obtain on filing date	

**a. SECURITY DEPOSITS [3]**

NAME OF COMPANY/PERSON AND FULL ADDRESS (include landlords and all utility companies)	DESCRIPTION OF LEASE OR CONTRACT

**b. INSURANCE POLICIES [9]**

(Please list the surrender or refund value of the policy. Include any amount which is available to you right now as a loan or otherwise)

NAMES ON POLICY	IS IT TERM OR WHOLE LIFE?	COMPANY NAME AND FULL ADDRESS	BENEFICIARY	CASH VALUE
				\$
				\$

**c. HOUSEHOLD GOODS – YOU MUST COMPLETE**

ITEM – CIRCLE WHAT YOU OWN BELOW	DO YOU OWN OR HAVE THESE ITEMS	LIST GARAGE SALE PRICES OF PROPERTY
	– Yes or No?	
1. Household furniture, lamps, carpets, rugs, decorations, china, appliances, household tools		\$
2. Electronics: TVs, DVD players, stereos, computers, printers, scanners, fax machines, sound equipment		\$
3. Collectibles of value: Books, artwork, antiques		\$
4. Clothes, shoes, and accessories		\$
5. Jewelry		\$
6. Sports and hobby equipment – please list items		\$
7. Firearms – please list items		\$

**d. AUTOMOBILES, TRUCKS, TRAILERS, MOBILE HOMES, BOATS, OR OTHER VEHICLES [25]**

Include anything that is or should be registered with the Bureau of Motor Vehicles.

YEAR, MAKE, SPECIFIC MODEL, COLOR	MILEAGE	MONTHLY PAYMENT AMOUNT	AMOUNT YOU STILL OWE	KEEP OR GIVE UP
			\$	
			\$	
			\$	

**e. OTHER PROPERTY**

ITEM	DO YOU OWN THE FOLLOWING – YES OR NO	CASH VALUE
8. Annuities		\$
9. Education IRA or Qualified State Tuition Plan		\$
10. Debtor: IRAs or 401K plans (If owned, need full name and address of company)		\$
11. Debtor’s spouse: IRAs or 401K plans (Same as above)		\$
12. Publically traded stocks, mutual funds		\$
13. Ownership in a corporation, LLC or partnership		\$



	Name of Company: _____ % Ownership: _____		
14.	Government or other bonds		\$
15.	Accounts receivable (people still owe you money for goods or services)		\$
16.	Past due alimony or child support payments that someone owes you		\$
	If "yes", who owes you?	Name _____ Address _____ _____	
17.	Tax refunds (do not cash or deposit a refund before asking us), or judgments you have against someone		\$
18.	Equitable or future property interests (i.e. a life estate or a remainder interest)		\$
19.	Inheritances from someone already deceased		\$
20.	Possible lawsuits or claims against anyone		\$
21.	Patents, copyrights or other intellectual property		\$
22.	Licenses, franchises or other intangible rights		\$
23.	Aircraft and/or their accessories		\$
24.	Office equipment, furnishings and supplies		\$
25.	Machinery, fixtures, equipment & supplies used in business		\$
26.	Inventory for sale in a business		\$
27.	Animals (include livestock, farm animals, and show quality domestic animals)		\$
28.	Crops (growing or harvested)		\$
29.	Farming equipment		\$
30.	Farm supplies, chemicals, feed		\$
31.	Other property of any kind not already listed Describe: _____		\$

---

### III. DEBTS

TAXES OWED:    IRS:                            YES \_\_\_\_\_    NO \_\_\_\_\_  
    State of Indiana:            YES \_\_\_\_\_    NO \_\_\_\_\_

Explain: \_\_\_\_\_  
 (Years? Type of tax? Balance Due?)

*Some tax debt may be dischargeable. If this occurs in your case, we strongly encourage you to contact your accountant or the IRS/IDR to obtain a tax transcript 90 days after your case is discharged to verify what overdue tax debt you may still owe.*

---

**CREDITOR LIST:** Provide ONLY ONE of the most recent bills from each (including collection agencies and law firms collecting on behalf of another creditor). Or provide a list of all creditors with the following information (Excel spreadsheet, tablet or handwritten):

*Creditor name, Address, Account Number, Balance Due, Date Debt Started, Co-Signers, Type of Debt (e.g., credit card, medical bill, utility, apartment lease, mortgage, etc.)*

---

**IV. CHILD SUPPORT**

List the following information for any child support obligations:

Pay \_\_\_\_\_ Receive \_\_\_\_\_

List name and full address of other party, amount of regular payment, how often (weekly, monthly, etc.), and any past due amounts:

---

**V. CONTRACTS AND LEASES**

List all ongoing contracts and leases (for example, car lease, cell phone lease, rental lease), and include the full name and address of other party/creditor, and description of the lease/contract, and beginning and ending dates of lease/contract below:

---

**VI. INCOME AND EXPENSES**

	DEBTOR	DEBTOR'S SPOUSE
JOB TITLE AND LENGTH OF TIME AT CURRENT JOB		

1. DEPENDENTS and HOUSEHOLD MEMBERS

List all people living in your home or to whom you provide support (parents, grandchildren, foster children, step-children, siblings, etc.). **This may be different than the dependents listed on your tax return.**

NAME	RELATIONSHIP	DATE OF BIRTH	ADDRESS (IF NOT THE SAME AS YOURS)

2. EXPECTED AVERAGE MONTHLY INCOME

These amounts should be what you expect to receive. For instance, if unemployment ran out last week, or you are getting more overtime, or you have received a raise, list your income as it will be from here on. A weekly amount should be multiplied by 4.3 to determine the monthly amount. List gross amounts, **(before any amount is taken out for taxes, insurance or other)**.

	DEBTOR	DEBTOR'S SPOUSE
Regular monthly income from wages ( <b>include regular overtime</b> )	\$	\$
Regular monthly income from expected bonuses, operation of a business, rental property, investment income, and child support. Explain: _____	\$	\$
Monthly social security benefits, unemployment, other government assistance, or pension or retirement income	\$	\$

Explain: _____		
<b>CIRCLE WHETHER YOU EXPECT AN INCREASE OR DECREASE IN MONTHLY INCOME WITHIN THE NEXT YEAR.</b>	YES      NO	YES      NO

4. AVERAGE & EXPECTED MONTHLY EXPENSES

“Current” expenses are your average monthly expenses for the six months leading up to bankruptcy. If a change is **fairly certain**, enter the new value in the “Expected” column. For instance, if you are surrendering your house and moving to an apartment, “Current” value would be your mortgage payment, and “Expected” value would be rent. If you pay an amount weekly, multiply the amount by **4.3** to determine the monthly amount.

**If you and your spouse maintain separate households, you should complete a separate expense list for each house.**

	CURRENT	EXPECTED
Rent or home mortgage payment If real estate taxes <b>ARE NOT</b> included, LIST \$ _____ If property insurance <b>IS NOT</b> included, LIST \$ _____	\$	\$
Mandatory HOA or condominium dues or land rent	\$	\$
Additional mortgage payments for residence, such as home equity loans	\$	\$
Home maintenance, repair, and upkeep expenses	\$	\$
Utilities:           Electricity, heat and/or gas	\$	\$
Water, sewer, garbage collection	\$	\$
Telephone, cell phone, Internet, satellite and cable	\$	\$
Other utilities	\$	\$
Food (groceries) and housekeeping supplies	\$	\$
Childcare and children’s education costs (school lunches, books, field trips, school uniforms, sports fees, etc.)	\$	\$
Clothing (general clothing, work clothes, shoes, coats), laundry, and dry cleaning	\$	\$
Personal care products and services (haircuts, hair products, etc.)	\$	\$
Out of pocket medical & dental expenses (including drugs & co-pays)	\$	\$
Transportation (include gas, oil changes, tires, bus fees, etc.; not loan payments)	\$	\$
Entertainment (movies, eating out, clubs, recreation fees, newspapers, magazines, and books)	\$	\$
Religious or charitable donations	\$	\$
Insurance not deducted from wages or included in mortgage payments		
Life Insurance	\$	\$
Medical/Health Insurance	\$	\$
Vehicle Insurance	\$	\$

Homeowner's or renter's insurance	\$	\$
Other _____	\$	\$
Taxes not deducted from wages (e.g. self-employment taxes)	\$	\$
Installment or Lease Payments (include in the "Expected" column <u>only</u> if you will keep paying the loan after bankruptcy)		
Payments for Vehicle 1 (please list which vehicle):	\$	\$
Payments for Vehicle 2 (please list which vehicle):	\$	\$
Student Loan(s)	\$	\$
Cell Phone installments	\$	\$
Other: _____	\$	\$
Alimony, maintenance and support paid to others (not deducted from wages)	\$	\$
Pet care	\$	\$
Union, professional or other dues not deducted from wages	\$	\$
Tobacco products	\$	\$
Other: _____	\$	\$
Other: _____	\$	\$

**VII. STATEMENT OF FINANCIAL AFFAIRS**

a. INCOME FROM EMPLOYMENT OR OPERATION OF BUSINESS (obtain the information for previous two years from tax returns, and income to date from pay stub year-to-date column)

DEBTOR:	AMOUNT:	SOURCE/NAME OF EMPLOYER
Income to date:	\$	
Income last year:	\$	
Income year before last:	\$	

SPOUSE:	AMOUNT:	SOURCE/NAME OF EMPLOYER
Income to date:	\$	
Income last year:	\$	
Income year before last:	\$	

b. INCOME OTHER THAN FROM EMPLOYMENT OR OPERATION OF A BUSINESS (alimony; child support; Social Security, unemployment, other public benefit payments, pensions, rental income, interest, dividends, money collected from lawsuits, royalties, gambling and lottery winnings).

DEBTOR	AMOUNT:	SOURCE
Income to date:	\$	
Income last year:	\$	
Income year before last:	\$	

SPOUSE	AMOUNT:	SOURCE
Income to date:	\$	
Income last year:	\$	
Income year before last:	\$	

**a. PAYMENTS TO ANY CREDITORS**

List each creditor whom you paid at least \$600 during the 90 days before you filed for bankruptcy and include the total amount you paid that creditor. Include name, address, month payments were made, amount paid, amount still owed (if it applies), and what it was for. Do not include payments for domestic support obligations, such as child support. Also, do not include payments to an attorney for this bankruptcy case. Typical examples include utilities, mortgage/rent, and car loans.

**b. LAWSUITS & GARNISHMENTS** (including divorces) within 1 year – **PLEASE BE SURE TOTELL US IF YOU HAVE ANY JUDGMENTS AGAINST YOU IF YOU OWN REAL ESTATE YOU PLAN TO KEEP IN ORDER TO AVOID A LIEN ON YOUR PROPERTY.**

	LAWSUIT 1	LAWSUIT 2
Court and Caption (e.g., Smith vs. Jones)		
Case Number		
Amount of Claim and Current Status, or Previous Case Outcome (including amount of judgment if it applies)		

**IF YOU CHECK YES TO ANY QUESTION BELOW, PLEASE EXPECT A FOLLOW-UP EMAIL ASKING FOR MORE SPECIFIC INFORMATION. THESE QUESTIONS APPLY TO YOU AND YOUR SPOUSE IF YOU ARE BOTH FILING.**

c. Within the last year, has any of your property been repossessed, foreclosed, garnished, attached, seized or levied?

\_\_\_\_\_YES

\_\_\_\_\_NO

d. Within the last year, has any of your property been assigned for the benefit of creditors or been placed in the hands of someone appointed by the court?

\_\_\_\_\_YES

\_\_\_\_\_NO

e. Within the last **two years**, have you (or your spouse) given **any gifts to anyone with a total value of \$600 or more?**

\_\_\_\_\_YES

\_\_\_\_\_NO

f. Within the last year, has any of your property been lost due to fire or other disaster, or theft or gambling?

\_\_\_\_\_YES

\_\_\_\_\_NO

g. Besides our office, within the last year, have you (or anyone acting on your behalf) **paid (or transferred any property to)** anyone you consulted about seeking bankruptcy or preparing a bankruptcy petition, or anyone who promised to help you deal with creditors (or make payments to your creditors)?

\_\_\_\_\_YES

\_\_\_\_\_NO

h. Within the last **two years**, have you **transferred, traded, or sold any property, including real estate, vehicles, or other item?** This includes self-settled trusts you benefitted from in the past 10 years (often called asset-protection devices), outright transfers and transfers made such as a mortgage on your property.

\_\_\_\_\_YES

\_\_\_\_\_NO

i. Within the last year, did you close, sell, move or transfer any financial accounts or instruments held in your name or for your benefit (**including checking accounts, savings accounts, other financial accounts, certificates of deposit, and share accounts held in banks, credit unions, pensions funds, cooperatives, associations, brokerage houses and other financial institutions**)?

\_\_\_\_\_YES

\_\_\_\_\_NO

j. Within the last year, did you have a safe deposit box?

\_\_\_\_\_YES

\_\_\_\_\_NO

k. Do you currently have any property you borrowed from, are storing for, or hold in trust for someone (this could include having your name on a parent's or child's bank account, being the trustee of a financial account for the benefit of one of your children, keeping furniture owned by a family member at your house, or borrowing someone's car or furniture on a long-term basis)?

\_\_\_\_\_YES

\_\_\_\_\_NO

l. Within the last year, have you stored any property in a storage unit or place other than your home?

\_\_\_\_\_YES

\_\_\_\_\_NO

m. Within the **last four years**, have you been a sole proprietor or an officer, director, partner, or managing executive of a business?

\_\_\_\_\_YES

\_\_\_\_\_NO

n. Within the **last eight years**, have you lived in any of the following places: Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin?

\_\_\_\_\_YES

\_\_\_\_\_NO

**SINCE DEBTORS ARE SWORN UNDER OATH IN BANKRUPTCY COURT, THANK YOU FOR COMPLETING THIS QUESTIONNAIRE TRUTHFULLY AND TO THE BEST OF YOUR KNOWLEDGE.**

**PLEASE REMOVE THIS PAGE BEFORE RETURNING COMPLETED HARD COPIES OF THIS QUESTIONNAIRE SINCE YOU WILL NEED THIS INFORMATION.**

### ***Step 1: Before You File***

#### *Pre-Bankruptcy Counseling*

*Consumers filing for bankruptcy MUST complete a credit counseling session from an Approved\* Provider and receive a Certificate of Counseling before filing.*

*At the conclusion of your session, **Debthelper.com** will provide you and your attorney with a copy of the certificate of counseling to file with the court as proof that you completed this requirement.*

#### *Items Needed for Course:*

1. *Current financial information*
2. *Attorney/Partner code: **IN0261***
3. *Payment method (debit, prepaid debit, or e-check)*

#### *Internet Option \$24 Accessible 24/7*

1. *Go to [www.mybkcounseling.com](http://www.mybkcounseling.com)*
2. *Click on "Register Now" under Bankruptcy Course 1*
3. *Follow all prompts necessary to receive your Unique User ID and Password*
4. *Complete the course and make your payment online*
5. *Call 800-920-2262 to complete your session*

#### *Telephone Option \$44*

1. *Call 800-920-2262 to complete your counseling over the phone. Appointment not required*

#### *Debtor Education*

### ***Step 2: After You File***

*Consumers that have filed for bankruptcy must complete a personal financial management instructional course from an Approved\* Provider and receive a Certificate of Debtor Education prior to their case being discharged. Each party must complete this course on their own.*

*At the conclusion of your 2-hour course, **Debthelper.com** will provide you and your attorney with the certificate of education to file with the court as proof that you completed this requirement.*

#### *Items Needed for Course:*

1. *Your bankruptcy case number: \_\_ - \_\_\_\_\_*
2. *Attorney/Partner code: **IN0261***
3. *Payment method (debit, prepaid debit, or e-check)*

#### *Internet Option \$14 Accessible 24/7*

1. *Go to [www.mybkcounseling.com](http://www.mybkcounseling.com)*
2. *Click on "Register Now" under Bankruptcy Course 2*
3. *Follow all prompts necessary to receive your Unique User ID and Password (this User ID is different than the User ID you received for your first course)*
4. *Complete the course and make your payment online*

#### *Telephone Option \$44*

1. *Call 800-920-2262 to complete your counseling over the phone. Appointment not required.*