

# **BANKRUPTCY PRO BONO PROJECT AT RUTGERS LAW SCHOOL**



## **APPENDIX PETITION, SCHEDULES AND FORMS 2023-2024**

**ROBERT J. COOPER, ESQ.**



## CONTENTS

A.	Chapter 7 Timeline	1
B.	Legal Services Guidelines/Poverty Levels	3
C.	Schedule of Filing Fees	5
D.	Filing Check List	6
E.	Pro Bono Cover Sheet for Filing	7
F.	Sample Retainer Agreement	8
G.	Sample Interview Letter	11
H.	Sample Letter - Denial of Services to File a Chapter 13 Petition Pro Bono	13
I.	Chapter 7 Statement of Your Current Monthly Income	14
J.	Chapter 7 Means Test Calculation	17
K.	Application to Pay Filing Fee in Installments	26
L.	Application to Waive Filing Fees	28
M.	Chapter 7 Petition and Schedules	32
N.	Statement of Financial Affairs	74
O.	Disclosure of Attorney Compensation	88
P.	Reaffirmation Documents and Agreement	90
Q.	Section 342(b) Notice	98
R.	Section 522 Federal Exemptions	102
S.	New Jersey State Exemptions	104
T.	Other Federal Exemptions	106
U.	Nondischargeability Provisions	107
V.	Commonly Asked Questions	109
W.	Evaluation Form	113

## CHAPTER 7 TIMELINE

1. The student assigned to the case should prepare a draft copy of the petition based on the file and documents prepared by Legal Services.
2. Conduct the initial interview.
3. Schedule a follow-up interview with the client and the students with or without the team attorney. This may be by telephone call, Zoom or other electronic platform, or an actual meeting at the attorney's office or at the Law School. It is preferable that this next contact occur within 2 weeks of the initial interview. This insures that the case is moving forward, and allows time for the team to check the information that it has gathered and to determine if anything else is needed. It also gives the client time to gather any requested documents, and to think about the information already given.
4. Complete and hand in to the Pro Bono Coordinator the interview evaluation form. Both students and the volunteer attorneys need to complete these forms.
5. Ensure that the client receives approved credit counseling from one of the agencies approved by the United States Trustee.
6. Prepare a redrafted Chapter 7 petition, schedules and creditor matrix. This should be done, at least in part by the second interview, for the supervising attorney's review and to identify any incomplete portions.
7. Complete the Current Monthly Income & Means Test Calculations.
8. Arrange an appointment with the client to review and sign the Chapter 7 petition.
9. Counsel client about post-petition responsibilities and explain what happens next with their case. Highlight the importance of **prompt** post-petition payments to their landlord and the utility companies.
10. Promptly file the Chapter 7 petition, schedules, creditor matrix and pro bono cover sheet with the Clerk of the United States Bankruptcy Court, Mitchell H. Cohen U.S. Courthouse, 401 Market Street, Camden, New Jersey 08101-2067 or 50 Walnut Street, Newark, New Jersey 07102. You will need 1 hard copy of the Petition, and 2 copies for you to get time-stamped for return to the attorney's file and to the client. If the attorney uses electronic filing, check with them prior to making your copies. **If you only file the petition, then the schedules and creditor matrix must be filed no later than 14 days thereafter, otherwise the petition may be dismissed.**
11. Draft notice of bankruptcy filing to those creditors identified as "harassing/problem creditors" or one that requires immediate notice in

order to cease harmful collection activity, e.g. eviction, utility shut-off, judgment entry.

12. Within 2-3 weeks of filing the petition, be alert for notice from the U.S. Trustee scheduling the § 341(a) First Meeting of Creditors. Notice will be sent to the client, the attorney of record, and the creditors listed on the matrix. Schedule a meeting by telephone or in person with the client to discuss the preparation and attendance at this meeting. The students should attend these meetings when possible. The attorney of record is required to attend.

13. Approximately 20-40 days after the Petition is filed, attend the § 341(a) First Meeting of Creditors with the client. Briefly review post-petition issues and advise the client of the next steps in their case.

14. Be aware of important deadlines tied to the scheduling of the § 341(a) meeting:

- Objections to Exemptions must be filed by the creditor(s) no later than 30 days after the conclusion of the meeting.
- Complaints to determine dischargeability must be filed no later than 60 days after the conclusion of the meeting. Even though this deadline applies to creditors, **it is good practice to file any complaints to determine dischargeability by the debtor also before the expiration of the 60 day period.**
- Reaffirmations as to personalty must be filed within 30 days after the 341 meeting or the automatic stay as to that property will end.

15. Draft complaint to determine dischargeability, motion for lien avoidance, or other court documents or amendments to debtor's schedules as needed. **Amendments to debtor's petition, schedules, list, or statement may be done at any time before the case is closed.**

16. As the time for discharge approaches, review any issues for discussion with client such as reaffirmations or redemptions of credit. **These papers must be filed not more than 30 days following the entry of an order granting or denying a discharge, with not less than 10 days notice to the debtor and the trustee.** Reaffirmations must be made prior to the granting of a discharge.

17. Approximately four to six months after the petition was filed, provide client with discharge notice and discuss post-discharge issues with client. Send closing letter to client. Send status letter to referral agency with copy to the Rutgers Project.

## LEGAL SERVICES GUIDELINES/POVERTY LEVELS

To understand the types of clients that will commonly be referred to the Project, it is helpful to understand the eligibility criteria utilized by Legal Services in determining the client's qualifications for pro bono legal assistance, since Legal Services provides the screening service for the Project.

Legal Services is prohibited from representing individuals whose family income exceeds the values indicated on the table below. For referral purposes, Legal Services accepts up to 300% of the national poverty level.

2023 POVERTY GUIDELINES		
FAMILY SIZE	POVERTY GUIDELINE	150%
1	\$14,580	\$21,870
2	\$19,720	\$29,580
3	\$24,860	\$37,290
4	\$30,000	\$45,000
5	\$35,140	\$52,710
6	\$40,280	\$60,420
7	\$45,420	\$68,130
8	\$50,560	\$75,840
<b>Add \$5,140 for each additional person</b>		

2023 LEGAL SERVICES GUIDELINES			
FAMILY SIZE	WEEKLY INCOME	MONTHLY INCOME	ANNUAL INCOME
1	\$841	\$3,645	\$43,740
2	\$1,138	\$4,930	\$59,160
3	\$1,434	\$6,215	\$74,580
4	\$1,731	\$7,500	\$90,000
5	\$2,027	\$8,785	\$105,420
6	\$2,324	\$10,070	\$120,840
7	\$2,620	\$11,355	\$136,260
8	\$2,917	\$12,640	\$151,680
<b>Add</b>	\$297	\$1,285	\$15,420
<b>for each additional member of household</b>			

Legal Services may consider the existence of one or more other factors in justifying a waiver of the maximum income limitations. These factors include: (1) the current income prospects, taking into account seasonal variations in income; (2) medical expenses; (3) commitment of the applicant's gross income primarily to medical/nursing expenses; (4) fixed debts and obligations, including unpaid state, federal and local taxes, and court-ordered alimony or child support actually being paid; (5) child care, transportation and other expenses necessary for employment; (6) expenses associated with age or physical infirmity of resident family members; and (7) other significant factors related to financial liability to afford legal assistance, in the discretion of the Program Administrator.

In determining the eligibility of an applicant whose income does not exceed the MIL, the following factors are also taken into consideration:

1. If the applicant's current income prospects, taking into account seasonal variations in income, are likely to exceed the MIL, the applicant may be determined ineligible in the discretion of the Director.
2. Where private representation is available at a low cost with respect to the particular matter in which assistance is sought, the applicant may be determined ineligible in the discretion of the Director.
3. Where the consequences for the individual are insignificant if legal assistance is denied, the applicant may be determined ineligible in the discretion of the Director.
4. Where there are assets in existence which are available to the applicant and they are in excess of the asset ceiling set in Section VII, the application shall be denied.
5. Where there is a determination either by admission or by a prior administrative or judicial decision that the applicant refuses or is unwilling, without good cause, to seek or accept suitable employment, the application for services will be denied.

Legal Services also evaluates the client's eligibility in terms of certain "asset ceilings". If the family unit's total includable assets exceed said limits then the applicant's request for assistance will be denied, subject to certain waiver provisions. The asset ceilings, as established by the Board of Directors of Legal Services take into consideration the economy of the particular county and the cost of living for low-income persons so as to ensure the availability of Legal Services' limited resources and services to those in the greatest need.

The maximum allowable equity value of liquid assets, as defined by SJLS, which an applicant and/or any resident member of the family unit may own shall not exceed for a family size of 1 - \$11,000; 2 - \$16,000; 3 - \$21,000; 4 - \$26,000; 5 - \$31,000; 6 - \$36,000; 7 - \$41,000; 8 - \$46,000. For family units with more than 8 members, add \$5,000 for each additional member. The Director is vested with the authority to waive the ceilings on allowable assets in unusual or extremely meritorious situations.

If a client who had been determined to be eligible subsequently becomes ineligible because of increased income and/or receipt or availability of assets or liquidation of formerly non-liquid assets and the reason for the ineligibility is sufficiently likely to continue, then the client will be notified that he/she no longer qualifies for the SJLS services and the reason for the disqualification, if it will not act to prejudice the client's case and is not inconsistent with an attorney's professional responsibilities. The notification will give the client a reasonable time to retain private counsel.



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
SCHEDULE OF FILING FEES**

ITEM	FEE
CHAPTER 7 PETITION	\$338.00
CHAPTER 13 PETITION	\$ 313.00
CHAPTER 11 PETITION	\$ 1,738.00
CHAPTER 9 PETITION	\$ 1,738.00
CHAPTER 12 PETITION	\$ 278.00
CHAPTER 15 PETITION	\$ 1,738.00
AMENDMENTS TO DEBTOR'S SCHEDULE OF CREDITORS (AFTER NOTICE TO CREDITORS)	\$ 32.00
FILING A MOTION TO TERMINATE, ANNUL, OR MODIFY STAY, TO WITHDRAW THE REFERENCE, OR TO COMPEL ABANDONMENT OF PROPERTY OF THE ESTATE	\$ 188.00
CONVERSION OF CHAPTER	CHAPTER 7 TO 11 \$ 922.00 CHAPTER 13 TO 11 \$ 932.00 CHAPTER 7 OR 11 TO 13 NO FEE
NOTICE OF VOLUNTARY CONVERSION FROM CHAPTER 13 TO CHAPTER 7	\$ 25.00
MOTION TO CONVERT FROM	CHAPTER 11 TO 7 \$ 15.00 CHAPTER 12 TO 7 \$ 60.00 CHAPTER 12 TO 13 \$ 35.00
FILING OF COMPLAINT COMMENCING ADVERSARY PROCEEDING. (If United States or debtor is plaintiff, no fee is required. If case trustee or debtor-in-possession is plaintiff, fee is payable only from estate and to extent there is any estate realized.)	\$ 350.00
FILING A MOTION TO REOPEN	CHAPTER 7 \$ 260.00 CHAPTER 13 \$ 235.00 CHAPTER 9, 11 OR 15 \$ 1,167.00 CHAPTER 12 \$ 200.00
FILING AND DOCKETING NOTICE OF APPEAL OR CROSS APPEAL	\$ 298.00
FILING NOTICE OF DIRECT APPEAL TO 3 <sup>RD</sup> CIRCUIT	\$ 207.00
RETRIEVAL OF RECORD FROM FEDERAL RECORDS CENTER OR OTHER STORAGE LOCATION	\$ 64.00
REPRODUCING ANY RECORD OR PAPER (PER PAGE)	\$ 0.50
CERTIFICATION OF ANY RECORD OR DOCUMENT	\$ 11.00
EXEMPLIFICATION OF ANY RECORD OR DOCUMENT	\$ 23.00
REPRODUCTION OF PROCEEDINGS	\$ 32.00
SEARCH OF RECORDS (PER NAME/ITEM)	\$ 32.00
REGISTERING A JUDGMENT FROM ANOTHER DISTRICT	\$ 49.00
CHECK RETURNED FOR LACK OF FUNDS	\$ 53.00
PACER (PER PAGE VIEWED OR PRINTED) (\$3.00 max per document)	\$ 0.10
DIVISION OF JOINT CASE AT REQUEST OF DEBTORS.	SAME AS MOTION TO REOPEN



## Filing Check List

- Pro Bono Representation Cover Sheet
- B101 - Voluntary Petition for Individuals Filing for Bankruptcy
- B103A - Application for Individuals to Pay the Filing Fee in Installments (if applicable)
- B103B - Application to Have the Chapter 7 Filing Fee Waived (if applicable)
- B106A/B - Schedule A/B: Property
- B106C - Schedule C: The Property You Claim as Exempt
- B106D - Schedule D: Creditors Who Hold Claims Secured by Property
- B106E/F - Schedule E/F: Creditors Who Have Unsecured Claims
- B106G - Schedule G: Executory Contracts and Unexpired Leases
- B106H - Schedule H: Your Codebtors
- B106I - Schedule I: Your Income
- B106J - Schedule J: Your Expenses
- B106 Dec. - Declaration About an Individual Debtor's Schedules
- B106 Sum. - A Summary of Your Assets and Liabilities and Certain Statistical Information
- B107 - Your Statement of Financial Affairs For Individuals Filing for Bankruptcy
- B108 - Statement of Intention for Individuals Filing Under Chapter 7
- B121 - Your Statement About Your Social Security Numbers
- B122A-1 - Chapter 7 Statement of Your Current Monthly Income
- B122A-2 - Chapter 7 Means Test Calculation
- List of Creditors and Creditor Matrix
- B2010 - Notice Required by 11 U.S.C. §342(b) for Individuals Filing for Bankruptcy
- B2030 - Disclosure of Compensation of Attorney for Debtor
- Filing Fee (if applicable)
- Completion of Credit Counseling Certification



**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY**

In the matter of \_\_\_\_\_ : Case No.  
 : Chapter:  
 Debtor(s) :  
 \_\_\_\_\_

**NOTICE OF PRO BONO SERVICES**

PLEASE TAKE NOTICE that \_\_\_\_\_, Esquire hereby enters his/her appearance on a pro bono basis on behalf of \_\_\_\_\_. All copies of notices and pleadings filed in this case or proceedings therein, including but not limited to notices provided pursuant to Fed. R. Bankr. P. 2002, should be sent to the addresses listed below:

(Attorney) \_\_\_\_\_  
(Firm) \_\_\_\_\_  
(Address) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rutgers Bankruptcy Pro Bono Project  
Rutgers University School of Law - Camden  
217 N. 5<sup>th</sup> Street  
Camden, New Jersey 08102

Date: \_\_\_\_\_  
Attorney (Pro Bono)

\_\_\_\_\_  
Attorney ID Number

Date

Attorney's Name

Firm Address

\_\_\_\_\_

\_\_\_\_\_

RE: Bankruptcy Pro Bono Project  
Retainer Agreement

Dear (Client):

It was a pleasure meeting with you on \_\_\_\_\_ (Date) \_\_\_\_\_ at the Rutgers Bankruptcy Pro Bono Project in Camden. The students and I appreciated the opportunity to work with you to help resolve your financial difficulties. As we have previously discussed with you, we think that filing a petition for bankruptcy relief under Chapter 7 of the Bankruptcy Code is the best solution to address your situation.

Under the federal bankruptcy law, attorneys are required to make certain disclosures and to specify what duties they will perform. This letter is intended to conform with that law and to serve as a retainer or engagement agreement between us. By signing this letter, we have agreed to represent you in your bankruptcy case, as spelled out below. When you sign this letter and return it to us, it will serve as a contract between us. This agreement does not require you to pay us for the legal services to be provided by us, as listed below. As you know, representation obtained through the Project is rendered free of charge.

Please read this agreement carefully and be sure that you understand it. If you have any questions, please feel free to contact us prior to signing and returning the letter.

Pursuant to this agreement, we agree to:

1. Meet with you as necessary to discuss your financial situation and how bankruptcy may help you;
2. Provide you with the notice required by 11 U.S.C. § 342(b) which outlines the purpose, benefits and costs of filing under the various chapters of the Bankruptcy Code;

3. Provide you with the names and contact information of the various credit counseling agencies that are available to you. (Please note that the law requires that you attend, in person, by telephone or over the internet, a counseling session presented by an approved agency prior to filing for bankruptcy);
4. Explain to you the penalties for committing certain bankruptcy crimes;
5. Prepare for your review the required bankruptcy petition, schedules, statement of financial affairs, statement of intention and any other documents required to file your bankruptcy case (including applications to pay the filing fee in installments or to seek to have your filing fee waived, as necessary);
6. File the necessary petition and schedules. (The filing fee, to the extent that it is required, is your responsibility and is not covered by the Project);
7. Prepare you for and attend with you the 341 First Meeting of Creditors;
8. Prepare and file any additional documents required by the Chapter 7 trustee following the 341 Meeting of Creditors;
9. Assist you in the negotiation and completion of any reaffirmation agreements that are in conformance with the law and in your best interest, and to
10. Keep you informed of any important developments in your case.

Pursuant to this agreement, you agree to:

1. Promptly respond to any letters or calls for us and to keep any appointments with us or to call in advance to cancel such an appointment;
2. Inform us of any change in your address or telephone number;
3. Provide us with all of the necessary information to complete your petition, schedules, statements and other related documents, including the disclosure of any change in your income or assets;
4. Attend, in person, by telephone or over the internet, a credit

counseling session presented by an approved agency and provide us with a copy of the certificate of completion of such a course prior to filing for bankruptcy;

- 5. Appear at any hearings or court appearances as required, and
- 6. Pay any required filing fees which are not waived.

This agreement may be terminated at any time by you, subject to court approval (where required). We may stop representing you, subject to court approval, if required, if it is determined that further representation would be useless, unreasonable or would not help you to achieve your objectives, you are no longer financially eligible for pro bono services or you have failed to cooperate with us.

It is understood that any information disclosed to us regarding your case will be kept confidential. However, you recognize that we may discuss your case with Rutgers University School of Law - Camden law students who are assisting in the preparation of your case, and other people to the extent it is necessary to represent you in this case.

This document represents the complete agreement between the parties. It shall be void if it is not executed and returned by you within fourteen (14) days from receipt.

Sincerely,

\_\_\_\_\_  
Signature of Attorney

\_\_\_\_\_  
Date

Agreed to by,

\_\_\_\_\_  
Signature of Client(s)

\_\_\_\_\_  
Date

(Date)

Name  
Address  
City, State

RE: Bankruptcy Counseling Appointment: (Date)

Dear ( ):

As you know, you have been referred by South Jersey Legal Services, Inc. (SJLS) to the Hon. Judith H. Wizmur Bankruptcy Pro Bono Project at Rutgers School of Law-Camden. This Project coordinates pro bono legal representation in certain specified bankruptcy cases between volunteer attorneys and law students and individuals referred to the Project by SJLS. Since your case has been referred to us, we are scheduling an interview between you and one or two of our law students who will be supervised, reviewed, and monitored by an experienced volunteer bankruptcy attorney.

Your appointment has been scheduled for           (Date and Time)           at the Pro Bono Offices of Rutgers University School of Law, 217 N. Fifth Street, Camden, NJ 08102. We are located very close to the Benjamin Franklin Bridge in an active area of the campus. Directions to the law school are attached.

Please bring a valid ID with you when you come to the law school on your scheduled date.

You will be meeting with one or two law students and a supervising volunteer attorney in private practice. They will discuss with you the particulars of your situation and make a determination as to whether a Chapter 7 “No Asset” bankruptcy proceeding is right for you. We are in receipt of certain documentation provided by you to SJLS. Several of these documents are time-sensitive and have to be periodically updated before they can be used to complete your bankruptcy petition and file it with the court. To aid in this process, please bring any of the following that have not already been provided:

1. A list of what you own other than household furnishings and clothing;
2. A list of all the money you owe others (your debts) including name and address of creditor, account number, approximate amount owed to each, and description of the charges;
3. Copies of any recent notices from your creditors and government agencies, and any legal papers sent to you by people to whom you owe money;
4. Notices of law suits, eviction notices, or any other document that you believe

requires immediate attention;

5. Your last 60 days, from the date of this appointment, of payment advices (pay stubs, unemployment checks, worker's comp checks, or Social Security deposits) for you and your spouse;
6. A breakdown of your monthly income and expenses;
7. Your bank statements covering the last 60 days, from the date of this appointment;
8. Copies of your last two years tax returns;
9. Originals of all correspondence, bills, collection letters, lawsuits, or any communications from creditors;
10. Record of any interest in an education IRA or Section 529 plan;
11. Your credit reports. (You can call Equifax at 888-378-4329, Experian at 877-322-8228 or TransUnion at 833-395-6938 to order it before you come in for your appointment, or you can visit [www.annualcreditreport.com](http://www.annualcreditreport.com).)

After thoroughly reviewing your financial situation, the attorney will decide whether your case can be handled by the Project. It is important for you to note that if your case is accepted, the supervising attorney will be responsible for it; however, preparation of documents to be filed with the bankruptcy court, meetings, and certain court appearances may be handled by a law student under the direction of the attorney.

**Please reconfirm your appointment by 10:00 a.m. on the morning of your scheduled appointment** so that we are sure you are coming. If you must cancel or reschedule your appointment time, please call Pam Mertsock-Wolfe at 856-225-6406 between the hours of 8:30 a.m. and 4:30 p.m. We realize that your schedule may change and we must be able to notify our volunteer attorney in plenty of time if you need to cancel your appointment. **If you do not show up for a scheduled appointment, and you did not call ahead to reschedule, we may not be able to reschedule you for another appointment.**

Sincerely,

Pam Mertsock-Wolfe  
Director, Pro Bono and  
Public Interest Program

Enclosures

Date

[client's name]  
[client's street address]  
[city, state, zip code]

**RE: Rutgers Bankruptcy Pro Bono Project**

Dear [client's name]:

It was my pleasure meeting with you on [weekday, date] in connection with the Rutgers's Bankruptcy Pro Bono Project. At that time, you expressed your desire to file for protection under the United States Bankruptcy Code. We discussed your assets and liabilities. You advised me that your current monthly income is substantially greater than your current monthly expenses. According to my notes, your monthly income is [\$X.00] while your monthly expenses are closer to [\$Y.00]. Thus, you have excess disposable monthly income of approximately [\$Z.00].

I advised you that because you have substantial excess monthly income, you are a candidate for a Chapter 13 bankruptcy rather than a Chapter 7 case. As we discussed, there is a possibility that you could pay for an attorney through your plan. Accordingly you do not fit within the parameters of the Project. You should consult an attorney who specializes in Chapter 13 bankruptcy practice. There are many attorneys who specialize in Chapter 13 bankruptcy practice for a minimum fee. You may call the Lawyer Referral Service in your county (a list of numbers is enclosed), or South Jersey Legal Services at (856) 964-2010 for a list of referral agencies.

I trust this information is of assistance to you. Good luck in the future.

Very truly yours,

[attorney's name]

**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**

12/19

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. <b>Your gross wages, salary, tips, bonuses, overtime, and commissions</b> (before all payroll deductions).	\$ _____	\$ _____												
3. <b>Alimony and maintenance payments.</b> Do not include payments from a spouse if Column B is filled in.	\$ _____	\$ _____												
4. <b>All amounts from any source which are regularly paid for household expenses of you or your dependents, including child support.</b> 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. <b>Net income from operating a business, profession, or farm</b>	<table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="background-color: #e0e0e0;">Debtor 1</td> <td style="background-color: #e0e0e0;">Debtor 2</td> </tr> <tr> <td>Gross receipts (before all deductions)</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Ordinary and necessary operating expenses</td> <td>– \$ _____</td> <td>– \$ _____</td> </tr> <tr> <td>Net monthly income from a business, profession, or farm</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table>			Debtor 1	Debtor 2	Gross receipts (before all deductions)	\$ _____	\$ _____	Ordinary and necessary operating expenses	– \$ _____	– \$ _____	Net monthly income from a business, profession, or farm	\$ _____	\$ _____
	Debtor 1	Debtor 2												
Gross receipts (before all deductions)	\$ _____	\$ _____												
Ordinary and necessary operating expenses	– \$ _____	– \$ _____												
Net monthly income from a business, profession, or farm	\$ _____	\$ _____												
	Copy here →	\$ _____												
6. <b>Net income from rental and other real property</b>	<table border="0" style="margin-left: auto; margin-right: auto;"> <tr> <td></td> <td style="background-color: #e0e0e0;">Debtor 1</td> <td style="background-color: #e0e0e0;">Debtor 2</td> </tr> <tr> <td>Gross receipts (before all deductions)</td> <td>\$ _____</td> <td>\$ _____</td> </tr> <tr> <td>Ordinary and necessary operating expenses</td> <td>– \$ _____</td> <td>– \$ _____</td> </tr> <tr> <td>Net monthly income from rental or other real property</td> <td>\$ _____</td> <td>\$ _____</td> </tr> </table>			Debtor 1	Debtor 2	Gross receipts (before all deductions)	\$ _____	\$ _____	Ordinary and necessary operating expenses	– \$ _____	– \$ _____	Net monthly income from rental or other real property	\$ _____	\$ _____
	Debtor 1	Debtor 2												
Gross receipts (before all deductions)	\$ _____	\$ _____												
Ordinary and necessary operating expenses	– \$ _____	– \$ _____												
Net monthly income from rental or other real property	\$ _____	\$ _____												
	Copy here →	\$ _____												
7. <b>Interest, dividends, and royalties</b>	\$ _____	\$ _____												



Column A Debtor 1	Column 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 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.

**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 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

04/22

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 <small>For example, the income is used to pay your spouse's tax debt or to support people other than you or your dependents</small>	Fill in the amount you are subtracting from your spouse's income
_____	\$ _____
_____	\$ _____
_____	+ \$ _____
<b>Total</b> .....	\$ _____

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.

[Empty box for line 5]

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..... [Box] \$ \_\_\_\_\_ Copy total here -> [Box] \$ \_\_\_\_\_

**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	\$ _____ <b>Copy here →</b> - \$ _____ 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 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 ABLÉ 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 \$189.58\* 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 4/01/25, 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:**

33a. Copy line 9b here ..... ➔ **Average monthly payment**  
\$ \_\_\_\_\_

**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?	
_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes	\$ _____
_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes	\$ _____
_____	_____	<input type="checkbox"/> No <input type="checkbox"/> 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				<b>\$ _____</b> 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 \$9,075\*.** 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 \$15,150\*.** 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 \$9,075\*, but not more than \$15,150\*.** Go to line 41.

\* Subject to adjustment on 4/01/25, 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.

Table with 2 columns: Give a detailed explanation of the special circumstances, Average monthly expense or income adjustment. Includes four rows of input fields.

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

X Signature of Debtor 2

Date MM / DD / YYYY

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 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** \_\_\_\_\_ **x** \_\_\_\_\_ **x** \_\_\_\_\_  
Signature of Debtor 1 Signature of Debtor 2 Your attorney's name and signature, if you used one

Date \_\_\_\_\_ Date \_\_\_\_\_ Date \_\_\_\_\_  
MM / DD / YYYY MM / DD / YYYY 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
<b>Total</b>	
\$ <span style="border: 1px solid black; padding: 2px;">_____</span>	

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.

\_\_\_\_\_ **By the court:** \_\_\_\_\_  
Month / day / year 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.

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

**Your family's average monthly net income**

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

You ..... \$ \_\_\_\_\_

Your spouse .... + \$ \_\_\_\_\_

Subtotal..... \$ \_\_\_\_\_

— \$ \_\_\_\_\_

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.

\_\_\_\_\_

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.....

Empty box for identifying family members.

8. Does anyone other than you regularly pay any of these expenses?

- No
Yes. How much do you regularly receive as contributions? \$ \_\_\_\_\_ monthly

If 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 .....

Empty box for explaining expense changes.

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.

Table with columns: Institution name, Amount. Rows for Checking account, Savings account, and two Other financial accounts.

12. Your home? (if you own it outright or are purchasing it)

Examples: House, condominium, manufactured home, or mobile home

Table with columns: Number, Street, City, State, ZIP Code, Current value, Amount you owe on mortgage and liens.

13. Other real estate?

Table with columns: Number, Street, City, State, ZIP Code, Current value, Amount you owe on mortgage and liens.

14. The vehicles you own?

Examples: Cars, vans, trucks, sports utility vehicles, motorcycles, tractors, boats

Table with columns: Make, Model, Year, Mileage, Current value, Amount you owe on liens. Two rows for different vehicles.

15. Other assets?

Describe the other assets:

Do not include household items and clothing.

[Empty box for describing other assets]

Current value: \$ \_\_\_\_\_

Amount you owe on liens: \$ \_\_\_\_\_

16. Money or property due you?

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

Who owes you the money or property?

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

How much is owed?

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

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

No

Yes. Explain:

[Empty box for explanation]

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 \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM/ DD/ YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM/ DD/ YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
MM/ DD/ YYYY

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

x \_\_\_\_\_  
Signature of Debtor 2

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)

## 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:

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

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:** \_\_\_\_\_  
Month / day / year United States Bankruptcy Judge

**Fill in this information to identify your case:**

United States Bankruptcy Court for the:

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**

12/22

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):
<b>1. Your full name</b>  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) _____
<b>2. All other names you have used in the last 8 years</b>  Include your married or maiden names and any assumed, trade names and <i>doing business as</i> names.  Do NOT list the name of any separate legal entity such as a corporation, partnership, or LLC that is not filing this petition.	First name _____ Middle name _____ Last name _____ First name _____ Middle name _____ Last name _____ Business name (if applicable) _____ Business name (if applicable) _____	First name _____ Middle name _____ Last name _____ First name _____ Middle name _____ Last name _____ Business name (if applicable) _____ Business name (if applicable) _____
<b>3. Only the last 4 digits of your Social Security number or federal Individual Taxpayer Identification number (ITIN)</b>	XXX - XX - _____ OR <b>9</b> XX - XX - _____	XXX - XX - _____ OR <b>9</b> XX - XX - _____

	About Debtor 1:	About Debtor 2 (Spouse Only in a Joint Case):
<p><b>4. Your Employer Identification Number (EIN), if any.</b></p>	<p>EIN _____ - _____ - _____</p> <p>EIN _____ - _____ - _____</p>	<p>EIN _____ - _____ - _____</p> <p>EIN _____ - _____ - _____</p>
<p><b>5. Where you live</b></p>	<p>Number _____ Street _____</p> <p>_____</p> <p>City _____ State _____ ZIP Code _____</p> <p>County _____</p> <p><b>If your mailing address is different from the one above, fill it in here.</b> Note that the court will send any notices to you at this mailing address.</p> <p>Number _____ Street _____</p> <p>P.O. Box _____</p> <p>City _____ State _____ ZIP Code _____</p>	<p><b>If Debtor 2 lives at a different address:</b></p> <p>Number _____ Street _____</p> <p>_____</p> <p>City _____ State _____ ZIP Code _____</p> <p>County _____</p> <p><b>If Debtor 2's mailing address is different from yours, fill it in here.</b> Note that the court will send any notices to this mailing address.</p> <p>Number _____ Street _____</p> <p>P.O. Box _____</p> <p>City _____ State _____ ZIP Code _____</p>
<p><b>6. Why you are choosing this district to file for bankruptcy</b></p>	<p><i>Check one:</i></p> <p><input type="checkbox"/> Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.</p> <p><input type="checkbox"/> I have another reason. Explain. (See 28 U.S.C. § 1408.)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	<p><i>Check one:</i></p> <p><input type="checkbox"/> Over the last 180 days before filing this petition, I have lived in this district longer than in any other district.</p> <p><input type="checkbox"/> I have another reason. Explain. (See 28 U.S.C. § 1408.)</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>

Debtor 1

First Name \_\_\_\_\_ Middle Name \_\_\_\_\_ Last Name \_\_\_\_\_

Case number (if known) \_\_\_\_\_

**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.

Debtor 1

First Name

Middle Name

Last Name

Case number (if known)

**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.

**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

\_\_\_\_\_

Debtor 1

First Name

Middle Name

Last Name

Case number (if known)

**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.

Debtor 1

First Name Middle Name Last Name

Case number (if known)

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?

- 1-49, 50-99, 100-199, 200-999, 1,000-5,000, 5,001-10,000, 10,001-25,000, 25,001-50,000, 50,001-100,000, More than 100,000

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

- \$0-\$50,000, \$50,001-\$100,000, \$100,001-\$500,000, \$500,001-\$1 million, \$1,000,001-\$10 million, \$10,000,001-\$50 million, \$50,000,001-\$100 million, \$100,000,001-\$500 million, \$500,000,001-\$1 billion, \$1,000,000,001-\$10 billion, \$10,000,000,001-\$50 billion, More than \$50 billion

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

- \$0-\$50,000, \$50,001-\$100,000, \$100,001-\$500,000, \$500,001-\$1 million, \$1,000,001-\$10 million, \$10,000,001-\$50 million, \$50,000,001-\$100 million, \$100,000,001-\$500 million, \$500,000,001-\$1 billion, \$1,000,000,001-\$10 billion, \$10,000,000,001-\$50 billion, 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

X Signature of Debtor 2

Executed on MM / DD / YYYY

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

Debtor 1

First Name Middle Name Last Name

Case number (if known)

**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	_____
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**

		<b>Your assets</b>
		Value of what you own
1. <i>Schedule A/B: Property</i> (Official Form 106A/B)		
1a. Copy line 55, Total real estate, from <i>Schedule A/B</i> .....		\$ _____
1b. Copy line 62, Total personal property, from <i>Schedule A/B</i> .....		\$ _____
1c. Copy line 63, Total of all property on <i>Schedule A/B</i> .....		\$ _____

**Part 2: Summarize Your Liabilities**

		<b>Your liabilities</b>
		Amount you owe
2. <i>Schedule D: Creditors Who Have Claims Secured by Property</i> (Official Form 106D)		
2a. Copy the total you listed in Column A, <i>Amount of claim</i> , at the bottom of the last page of Part 1 of <i>Schedule D</i> .....		\$ _____
3. <i>Schedule E/F: Creditors Who Have Unsecured Claims</i> (Official Form 106E/F)		
3a. Copy the total claims from Part 1 (priority unsecured claims) from line 6e of <i>Schedule E/F</i> .....		\$ _____
3b. Copy the total claims from Part 2 (nonpriority unsecured claims) from line 6j of <i>Schedule E/F</i> .....		+ \$ _____
<b>Your total liabilities</b>		\$ _____

**Part 3: Summarize Your Income and Expenses**

4. <i>Schedule I: Your Income</i> (Official Form 106I)		
Copy your combined monthly income from line 12 of <i>Schedule I</i> .....		\$ _____
5. <i>Schedule J: Your Expenses</i> (Official Form 106J)		
Copy your monthly expenses from line 22c of <i>Schedule J</i> .....		\$ _____

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
<b>From Part 4 on <i>Schedule E/F</i>, copy the following:</b>	
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.)	<b>+</b> \$ _____
9g. <b>Total.</b> 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

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:

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

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:

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 \_\_\_\_\_

**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*.

<b>Current value of the entire property?</b>	<b>Current value of the portion you own?</b>
\$ _____	\$ _____

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

**Check if this is community property** (see instructions)

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

**Check if this is community property** (see instructions)

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

<b>Current value of the entire property?</b>	<b>Current value of the portion you own?</b>
\$ _____	\$ _____

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

**Check if this is community property** (see instructions)

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

<b>Current value of the entire property?</b>	<b>Current value of the portion you own?</b>
\$ _____	\$ _____

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

Check if this is community property (see instructions)

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?**

\$ \_\_\_\_\_      \$ \_\_\_\_\_

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

Check if this is community property (see instructions)

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?**

\$ \_\_\_\_\_      \$ \_\_\_\_\_

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

Check if this is community property (see instructions)

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?**

\$ \_\_\_\_\_      \$ \_\_\_\_\_

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

Check if this is community property (see instructions)

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?**

\$ \_\_\_\_\_      \$ \_\_\_\_\_

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:	%	%
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

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:

Three lines for issuer name and amount, each starting with a dollar sign.

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:

Seven rows for account types: 401(k) or similar plan, Pension plan, IRA, Retirement account, Keogh, Additional account, and another Additional account. Each row has a dollar sign and a line for amount.

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:

Eight rows for categories: Electric, Gas, Heating oil, Security deposit on rental unit, Prepaid rent, Telephone, Water, Rented furniture, and Other. Each row has a dollar sign and a line for amount.

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:

Three lines for issuer name and description, each starting with a dollar sign.

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):

Three lines for listing institutions with dollar amounts.

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....

Text box for details and a dollar amount line.

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....

Text box for details and a dollar amount line.

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....

Text box for details and a dollar amount line.

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. ....

Text box for details.

Federal, State, and Local dollar amount lines.

29. Family support

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

No

Yes. Give specific information.....

Text box for details.

Alimony, Maintenance, Support, Divorce settlement, and Property settlement dollar amount lines.

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.....

Text box for details and a dollar amount line.

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..... \$

**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.....  \$ \_\_\_\_\_

**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 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 106C**

**Schedule C: The Property You Claim as Exempt**

04/22

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
	<small>Copy the value from <i>Schedule A/B</i></small>	<small>Check only one box for each exemption.</small>	
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 \$189,050?**

(Subject to adjustment on 4/01/25 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: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	_____ _____ _____
Brief description: _____ Line from Schedule A/B: _____	\$ _____	<input type="checkbox"/> \$ _____ <input type="checkbox"/> 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	Column B	Column C
Amount of claim	Value of collateral that supports this claim	Unsecured portion
Do not deduct the value of collateral.		If any

**2.1** Describe the property that secures the claim: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Creditor's Name \_\_\_\_\_  
 Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**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 \_\_\_\_\_

**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) \_\_\_\_\_

**2.2** Describe the property that secures the claim: \$ \_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_

Creditor's Name \_\_\_\_\_  
 Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**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 \_\_\_\_\_

**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) \_\_\_\_\_

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

<b>Part 1:</b>	Additional Page	<b>Column A</b>	<b>Column B</b>	<b>Column C</b>
	<b>After listing any entries on this page, number them beginning with 2.3, followed by 2.4, and so forth.</b>	<b>Amount of claim</b> Do not deduct the value of collateral.	<b>Value of collateral that supports this claim</b>	<b>Unsecured portion</b> If any

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

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

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

<b>Add the dollar value of your entries in Column A on this page. Write that number here:</b>	\$ _____
<b>If this is the last page of your form, add the dollar value totals from all pages. Write that number here:</b>	\$ _____

First Name Middle Name Last Name

**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.**

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City State ZIP Code

On which line in Part 1 did you enter the creditor? \_\_\_\_\_  
Last 4 digits of account number \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City State ZIP Code

On which line in Part 1 did you enter the creditor? \_\_\_\_\_  
Last 4 digits of account number \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City State ZIP Code

On which line in Part 1 did you enter the creditor? \_\_\_\_\_  
Last 4 digits of account number \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City State ZIP Code

On which line in Part 1 did you enter the creditor? \_\_\_\_\_  
Last 4 digits of account number \_\_\_\_\_

\_\_\_\_\_  
Name

\_\_\_\_\_  
Number Street

\_\_\_\_\_  
City State ZIP Code

On which line in Part 1 did you enter the creditor? \_\_\_\_\_  
Last 4 digits of account number \_\_\_\_\_

\_\_\_\_\_  
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
<div style="border: 1px solid black; padding: 2px; display: inline-block; margin-bottom: 5px;">2.1</div> <p>Priority Creditor's Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p><b>Who incurred the debt?</b> Check one.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Debtor 1 only</li> <li><input type="checkbox"/> Debtor 2 only</li> <li><input type="checkbox"/> Debtor 1 and Debtor 2 only</li> <li><input type="checkbox"/> At least one of the debtors and another</li> <li><input type="checkbox"/> <b>Check if this claim is for a community debt</b></li> </ul> <p><b>Is the claim subject to offset?</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> Yes</li> </ul>	<p><b>Last 4 digits of account number</b> _____ \$ _____ \$ _____ \$ _____</p> <p><b>When was the debt incurred?</b> _____</p> <p><b>As of the date you file, the claim is:</b> Check all that apply.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Contingent</li> <li><input type="checkbox"/> Unliquidated</li> <li><input type="checkbox"/> Disputed</li> </ul> <p><b>Type of PRIORITY unsecured claim:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Domestic support obligations</li> <li><input type="checkbox"/> Taxes and certain other debts you owe the government</li> <li><input type="checkbox"/> Claims for death or personal injury while you were intoxicated</li> <li><input type="checkbox"/> Other. Specify _____</li> </ul>		

<div style="border: 1px solid black; padding: 2px; display: inline-block; margin-bottom: 5px;">2.2</div> <p>Priority Creditor's Name _____</p> <p>Number _____ Street _____</p> <p>City _____ State _____ ZIP Code _____</p> <p><b>Who incurred the debt?</b> Check one.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Debtor 1 only</li> <li><input type="checkbox"/> Debtor 2 only</li> <li><input type="checkbox"/> Debtor 1 and Debtor 2 only</li> <li><input type="checkbox"/> At least one of the debtors and another</li> <li><input type="checkbox"/> <b>Check if this claim is for a community debt</b></li> </ul> <p><b>Is the claim subject to offset?</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> No</li> <li><input type="checkbox"/> Yes</li> </ul>	<p><b>Last 4 digits of account number</b> _____ \$ _____ \$ _____ \$ _____</p> <p><b>When was the debt incurred?</b> _____</p> <p><b>As of the date you file, the claim is:</b> Check all that apply.</p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Contingent</li> <li><input type="checkbox"/> Unliquidated</li> <li><input type="checkbox"/> Disputed</li> </ul> <p><b>Type of PRIORITY unsecured claim:</b></p> <ul style="list-style-type: none"> <li><input type="checkbox"/> Domestic support obligations</li> <li><input type="checkbox"/> Taxes and certain other debts you owe the government</li> <li><input type="checkbox"/> Claims for death or personal injury while you were intoxicated</li> <li><input type="checkbox"/> Other. Specify _____</li> </ul>		
---	--	--	--

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

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.

Contingent  
 Unliquidated  
 Disputed

**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

**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

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.

Contingent  
 Unliquidated  
 Disputed

**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

**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

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.

Contingent  
 Unliquidated  
 Disputed

**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

**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

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.

4.1 Nonpriority Creditor's Name, Last 4 digits of account number, When was the debt incurred?, Total claim, Who incurred the debt?, Is the claim subject to offset?, Type of NONPRIORITY unsecured claim:

4.2 Nonpriority Creditor's Name, Last 4 digits of account number, When was the debt incurred?, Total claim, Who incurred the debt?, Is the claim subject to offset?, Type of NONPRIORITY unsecured claim:

4.3 Nonpriority Creditor's Name, Last 4 digits of account number, When was the debt incurred?, Total claim, Who incurred the debt?, Is the claim subject to offset?, Type of NONPRIORITY unsecured claim:

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 \_\_\_\_\_

**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 \_\_\_\_\_

**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

Nonpriority Creditor's Name \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**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 \_\_\_\_\_

**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

Nonpriority Creditor's Name \_\_\_\_\_

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**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 \_\_\_\_\_

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

5. 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

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

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

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

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

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

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

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



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 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. \$ \_\_\_\_\_

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. \$ \_\_\_\_\_

Total claim

**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
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	
<p>2. _____ Name _____ Number Street _____ City State ZIP Code _____</p>	

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:

<b>3.1</b>	_____ Name _____ Number Street _____ City State ZIP Code	<input type="checkbox"/> Schedule D, line _____ <input type="checkbox"/> Schedule E/F, line _____ <input type="checkbox"/> Schedule G, line _____
<b>3.2</b>	_____ Name _____ Number Street _____ City State ZIP Code	<input type="checkbox"/> Schedule D, line _____ <input type="checkbox"/> Schedule E/F, line _____ <input type="checkbox"/> Schedule G, line _____
<b>3.3</b>	_____ Name _____ Number Street _____ City State ZIP Code	<input type="checkbox"/> Schedule D, line _____ <input type="checkbox"/> Schedule E/F, line _____ <input type="checkbox"/> Schedule G, line _____

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:

<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>
<p>3._</p> <p>Name _____</p> <p>Number Street _____</p> <p>City State ZIP Code _____</p>	<p><input type="checkbox"/> Schedule D, line _____</p> <p><input type="checkbox"/> Schedule E/F, line _____</p> <p><input type="checkbox"/> Schedule G, line _____</p>

**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 106I

# 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

	Debtor 1	Debtor 2 or non-filing spouse
<b>1. Fill in your employment information.</b>		
If you have more than one job, attach a separate page with information about additional employers.		
<b>Employment status</b>	<input type="checkbox"/> Employed <input type="checkbox"/> Not employed	<input type="checkbox"/> Employed <input type="checkbox"/> Not employed
Include part-time, seasonal, or self-employed work.		
<b>Occupation</b>	_____	_____
Occupation may include student or homemaker, if it applies.		
<b>Employer's name</b>	_____	_____
<b>Employer's address</b>		
	Number Street _____	Number Street _____
	_____	_____
	_____	_____
	City State ZIP Code _____	City State ZIP Code _____
<b>How long employed there?</b>	_____	_____

**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.

	For Debtor 1	For Debtor 2 or non-filing spouse
<b>2. List monthly gross wages, salary, and commissions</b> (before all payroll deductions). If not paid monthly, calculate what the monthly wage would be.	2. \$ _____	\$ _____
<b>3. Estimate and list monthly overtime pay.</b>	3. + \$ _____	+ \$ _____
<b>4. Calculate gross income.</b> Add line 2 + line 3.	4. \$ _____	\$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

	For Debtor 1	For Debtor 2 or non-filing spouse
Copy line 4 here..... → 4.	\$ _____	\$ _____
<b>5. List all payroll deductions:</b>		
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. \$ _____	\$ _____
<b>8. List all other income regularly received:</b>		
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. \$ _____ +	\$ _____ = \$ _____
<b>11. State all other regular contributions to the expenses that you list in Schedule J.</b> 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. \$ _____ <b>Combined monthly income</b>
<b>13. Do you expect an increase or decrease within the year after you file this form?</b>		
<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.

	Dependent's relationship to Debtor 1 or Debtor 2	Dependent's age	Does dependent live with you?
<input type="checkbox"/> No			
<input type="checkbox"/> Yes. Fill out this information for each dependent.....	_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
	_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
	_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
	_____	_____	<input type="checkbox"/> No <input type="checkbox"/> Yes
	_____	_____	<input type="checkbox"/> No <input type="checkbox"/> 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.)**

	Your expenses
<b>4. The rental or home ownership expenses for your residence.</b> Include first mortgage payments and any rent for the ground or lot.	4. \$ _____
<b>If not included in line 4:</b>	
4a. Real estate taxes	4a. \$ _____
4b. Property, homeowner's, or renter's insurance	4b. \$ _____
4c. Home maintenance, repair, and upkeep expenses	4c. \$ _____
4d. Homeowner's association or condominium dues	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. 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

**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 3571.

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

**X** \_\_\_\_\_

Signature of Debtor 2

Date \_\_\_\_\_  
MM / DD / YYYY

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

04/22

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
		<input type="checkbox"/> Same as Debtor 1	<input type="checkbox"/> Same as Debtor 1
Number _____ Street _____	From _____ To _____	Number _____ Street _____	From _____ To _____
City _____ State _____ ZIP Code _____		City _____ State _____ ZIP Code _____	
		<input type="checkbox"/> Same as Debtor 1	<input type="checkbox"/> 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)	Sources of income Check all that apply.	Gross income (before deductions and exclusions)
<b>From January 1 of current year until the date you filed for bankruptcy:</b>	<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	\$ _____
<b>For last calendar year:</b> (January 1 to December 31, _____) 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	\$ _____
<b>For the calendar year before that:</b> (January 1 to December 31, _____) 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)	Sources of income Describe below.	Gross income from each source (before deductions and exclusions)
<b>From January 1 of current year until the date you filed for bankruptcy:</b>	_____	\$ _____	_____	\$ _____
	_____	\$ _____	_____	\$ _____
	_____	\$ _____	_____	\$ _____
<b>For last calendar year:</b> (January 1 to December 31, _____) YYYY	_____	\$ _____	_____	\$ _____
	_____	\$ _____	_____	\$ _____
	_____	\$ _____	_____	\$ _____
<b>For the calendar year before that:</b> (January 1 to December 31, _____) YYYY	_____	\$ _____	_____	\$ _____
	_____	\$ _____	_____	\$ _____
	_____	\$ _____	_____	\$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

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 \$7,575\* or more?

No. Go to line 7.

Yes. List below each creditor to whom you paid a total of \$7,575\* 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 4/01/25 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.

Table with 5 columns: Creditor's Name, Dates of payment, Total amount paid, Amount you still owe, Was this payment for... (Mortgage, Car, Credit card, Loan repayment, Suppliers or vendors, Other)

Debtor 1

\_\_\_\_\_  
 First Name Middle Name Last Name

Case number (if known) \_\_\_\_\_

**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
_____ Insider's Name  _____ Number Street  _____  _____ City State ZIP Code	_____	\$ _____	\$ _____	Include creditor's name
_____ Insider's Name  _____ Number Street  _____  _____ City State ZIP Code	_____	\$ _____	\$ _____	

Debtor 1

First Name Middle Name Last Name

Case number (if known)

**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 _____		_____	\$ _____
	<b>Explain what happened</b>		
	<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.		
Creditor's Name _____ Number Street _____ City State ZIP Code _____		_____	\$ _____
	<b>Explain what happened</b>		
	<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 _____		_____	\$ _____
		_____	\$ _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

**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	Date of your loss	Value of property lost
	Include the amount that insurance has paid. List pending insurance claims on line 33 of <i>Schedule A/B: Property</i> .	_____	\$ _____

**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.

	Description and value of the property transferred	Date transfer was made
Name of trust _____ _____		_____

**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.

	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.

	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?
Name of Storage Facility	Name		<input type="checkbox"/> No <input type="checkbox"/> Yes
Number Street	Number Street		
City State ZIP Code	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		
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		_____
Number Street		
City State ZIP Code		
City State ZIP Code		

Debtor 1

First Name Middle Name Last Name

Case number (if known)

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		
City State ZIP Code			
Name of site			
Governmental unit			
Number	Street		
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		<input type="checkbox"/> Pending <input type="checkbox"/> On appeal <input type="checkbox"/> Concluded
Court Name		
Number Street		
Case number		
City State ZIP Code		

**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.

Business Name  Number Street  City State ZIP Code	Describe the nature of the business	Employer Identification number Do not include Social Security number or ITIN.  EIN: _____ - _____
	Name of accountant or bookkeeper	Dates business existed  From _____ To _____
	Describe the nature of the business	Employer Identification number Do not include Social Security number or ITIN.  EIN: _____ - _____
	Name of accountant or bookkeeper	Dates business existed  From _____ To _____

Debtor 1

First Name Middle Name Last Name

Case number (if known)

Business Name _____  Number Street _____  City State ZIP Code _____	Describe the nature of the business	Employer Identification number Do not include Social Security number or ITIN.
	Name of accountant or bookkeeper	EIN: _____ - _____
		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 \_\_\_\_\_

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: _____ Description of property securing debt: _____	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input type="checkbox"/> Retain the property and [explain]: _____	<input type="checkbox"/> No <input type="checkbox"/> Yes
Creditor's name: _____ Description of property securing debt: _____	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input type="checkbox"/> Retain the property and [explain]: _____	<input type="checkbox"/> No <input type="checkbox"/> Yes
Creditor's name: _____ Description of property securing debt: _____	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input type="checkbox"/> Retain the property and [explain]: _____	<input type="checkbox"/> No <input type="checkbox"/> Yes
Creditor's name: _____ Description of property securing debt: _____	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input type="checkbox"/> Retain the property and [explain]: _____	<input type="checkbox"/> No <input type="checkbox"/> Yes



Debtor 1

First Name Middle Name Last Name

Case number (if known)

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. § 365(p)(2).

Describe your unexpired personal property leases Will the lease be assumed?

Lessor's name: Description of leased property: Will the lease be assumed? No Yes

Lessor's name: Description of leased property: Will the lease be assumed? No Yes

Lessor's name: Description of leased property: Will the lease be assumed? No Yes

Lessor's name: Description of leased property: Will the lease be assumed? No Yes

Lessor's name: Description of leased property: Will the lease be assumed? No Yes

Lessor's name: Description of leased property: Will the lease be assumed? No Yes

Lessor's name: Description of leased property: Will the lease be assumed? No 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

X Signature of Debtor 2

Date MM / DD / YYYY

Date MM / DD / YYYY

# United States Bankruptcy Court

\_\_\_\_\_ District Of \_\_\_\_\_

**In re**

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

**Debtor**

Chapter \_\_\_\_\_

## DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept ..... \$ \_\_\_\_\_

Prior to the filing of this statement I have received ..... \$ \_\_\_\_\_

Balance Due ..... \$ \_\_\_\_\_

2. The source of the compensation paid to me was:

Debtor                       Other (specify)

3. The source of compensation to be paid to me is:

Debtor                       Other (specify)

4.  I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:
- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
  - Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
  - Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

<b>CERTIFICATION</b>	
I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.	
_____	_____
<i>Date</i>	<i>Signature of Attorney</i>
	_____
	<i>Name of law firm</i>

Check one.

**Presumption of Undue Hardship**

**No Presumption of Undue Hardship**

*See Debtor's Statement in Support of Reaffirmation, Part II below, to determine which box to check.*

# UNITED STATES BANKRUPTCY COURT

\_\_\_\_\_ District of \_\_\_\_\_

In re \_\_\_\_\_,

*Debtor*

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

Chapter \_\_\_\_\_

## REAFFIRMATION DOCUMENTS

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

Check this box if Creditor is a Credit Union

### PART I. REAFFIRMATION AGREEMENT

**Reaffirming a debt is a serious financial decision. Before entering into this Reaffirmation Agreement, you must review the important disclosures, instructions, and definitions found in Part V of this form.**

A. Brief description of the original agreement being reaffirmed: \_\_\_\_\_

*For example, auto loan*

B. **AMOUNT REAFFIRMED:**     \$ \_\_\_\_\_

The Amount Reaffirmed is the entire amount that you are agreeing to pay. This may include unpaid principal, interest, and fees and costs (if any) arising on or before \_\_\_\_\_, which is the date of the Disclosure Statement portion of this form (Part V).

*See the definition of "Amount Reaffirmed" in Part V, Section C below.*

C. The **ANNUAL PERCENTAGE RATE** applicable to the Amount Reaffirmed is \_\_\_\_\_%.

*See definition of "Annual Percentage Rate" in Part V, Section C below.*

This is a (check one)    Fixed rate

Variable rate

If the loan has a variable rate, the future interest rate may increase or decrease from the Annual Percentage Rate disclosed here.

D. Reaffirmation Agreement Repayment Terms (check and complete one):

- \$\_\_\_\_\_ per month for \_\_\_\_\_ months starting on\_\_\_\_\_.
- Describe repayment terms, including whether future payment amount(s) may be different from the initial payment amount.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Describe the collateral, if any, securing the debt:

Description: \_\_\_\_\_  
 Current Market Value \$\_\_\_\_\_

F. Did the debt that is being reaffirmed arise from the purchase of the collateral described above?

- Yes. What was the purchase price for the collateral? \$\_\_\_\_\_
- No. What was the amount of the original loan? \$\_\_\_\_\_

G. Specify the changes made by this Reaffirmation Agreement to the most recent credit terms on the reaffirmed debt and any related agreement:

	Terms as of the Date of Bankruptcy	Terms After Reaffirmation
Balance due (including fees and costs)	\$_____	\$_____
Annual Percentage Rate	_____%	_____%
Monthly Payment	\$_____	\$_____

H.  Check this box if the creditor is agreeing to provide you with additional future credit in connection with this Reaffirmation Agreement. Describe the credit limit, the Annual Percentage Rate that applies to future credit and any other terms on future purchases and advances using such credit:

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

**PART II. DEBTOR'S STATEMENT IN SUPPORT OF REAFFIRMATION AGREEMENT**

A. Were you represented by an attorney during the course of negotiating this agreement?

Check one.  Yes  No

B. Is the creditor a credit union?

Check one.  Yes  No

C. If your answer to EITHER question A. or B. above is "No," complete 1. and 2. below.

1. Your present monthly income and expenses are:

a. Monthly income from all sources after payroll deductions (take-home pay plus any other income) \$\_\_\_\_\_

b. Monthly expenses (including all reaffirmed debts except this one) \$\_\_\_\_\_

c. Amount available to pay this reaffirmed debt (subtract b. from a.) \$\_\_\_\_\_

d. Amount of monthly payment required for this reaffirmed debt \$\_\_\_\_\_

*If the monthly payment on this reaffirmed debt (line d.) is greater than the amount you have available to pay this reaffirmed debt (line c.), you must check the box at the top of page one that says "Presumption of Undue Hardship." Otherwise, you must check the box at the top of page one that says "No Presumption of Undue Hardship."*

2. You believe that this reaffirmation agreement will not impose an undue hardship on you or your dependents because:

Check one of the two statements below, if applicable:

You can afford to make the payments on the reaffirmed debt because your monthly income is greater than your monthly expenses even after you include in your expenses the monthly payments on all debts you are reaffirming, including this one.

You can afford to make the payments on the reaffirmed debt even though your monthly income is less than your monthly expenses after you include in your expenses the monthly payments on all debts you are reaffirming, including this one, because:

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

Use an additional page if needed for a full explanation.

D. If your answers to BOTH questions A. and B. above were "Yes," check the following statement, if applicable:

You believe this Reaffirmation Agreement is in your financial interest and you can afford to make the payments on the reaffirmed debt.

*Also, check the box at the top of page one that says "No Presumption of Undue Hardship."*

**PART III. CERTIFICATION BY DEBTOR(S) AND SIGNATURES OF PARTIES**

I hereby certify that:

- (1) I agree to reaffirm the debt described above.
- (2) Before signing this Reaffirmation Agreement, I read the terms disclosed in this Reaffirmation Agreement (Part I) and the Disclosure Statement, Instructions and Definitions included in Part V below;
- (3) The Debtor’s Statement in Support of Reaffirmation Agreement (Part II above) is true and complete;
- (4) I am entering into this agreement voluntarily and am fully informed of my rights and responsibilities; and
- (5) I have received a copy of this completed and signed Reaffirmation Documents form.

SIGNATURE(S) (If this is a joint Reaffirmation Agreement, both debtors must sign.):

Date \_\_\_\_\_ Signature \_\_\_\_\_  
*Debtor*

Date \_\_\_\_\_ Signature \_\_\_\_\_  
*Joint Debtor, if any*

**Reaffirmation Agreement Terms Accepted by Creditor:**

Creditor \_\_\_\_\_  
*Print Name* *Address*

\_\_\_\_\_ \_\_\_\_\_ \_\_\_\_\_  
*Print Name of Representative* *Signature* *Date*

**PART IV. CERTIFICATION BY DEBTOR’S ATTORNEY (IF ANY)**

*To be filed only if the attorney represented the debtor during the course of negotiating this agreement.*

I hereby certify that: (1) this agreement represents a fully informed and voluntary agreement by the debtor; (2) this agreement does not impose an undue hardship on the debtor or any dependent of the debtor; and (3) I have fully advised the debtor of the legal effect and consequences of this agreement and any default under this agreement.

A presumption of undue hardship has been established with respect to this agreement. In my opinion, however, the debtor is able to make the required payment.

*Check box, if the presumption of undue hardship box is checked on page 1 and the creditor is not a Credit Union.*

Date \_\_\_\_\_ Signature of Debtor’s Attorney \_\_\_\_\_

Print Name of Debtor’s Attorney \_\_\_\_\_

## PART V. DISCLOSURE STATEMENT AND INSTRUCTIONS TO DEBTOR(S)

**Before agreeing to reaffirm a debt, review the terms disclosed in the Reaffirmation Agreement (Part I above) and these additional important disclosures and instructions.**

**Reaffirming a debt is a serious financial decision.** The law requires you to take certain steps to make sure the decision is in your best interest. If these steps, which are detailed in the Instructions provided in Part V, Section B below, are not completed, the Reaffirmation Agreement is not effective, even though you have signed it.

### A. DISCLOSURE STATEMENT

- 1. What are your obligations if you reaffirm a debt?** A reaffirmed debt remains your personal legal obligation to pay. Your reaffirmed debt is not discharged in your bankruptcy case. That means that if you default on your reaffirmed debt after your bankruptcy case is over, your creditor may be able to take your property or your wages. Your obligations will be determined by the Reaffirmation Agreement, which may have changed the terms of the original agreement. If you are reaffirming an open end credit agreement, that agreement or applicable law may permit the creditor to change the terms of that agreement in the future under certain conditions.
- 2. Are you required to enter into a reaffirmation agreement by any law?** No, you are not required to reaffirm a debt by any law. Only agree to reaffirm a debt if it is in your best interest. Be sure you can afford the payments that you agree to make.
- 3. What if your creditor has a security interest or lien?** Your bankruptcy discharge does not eliminate any lien on your property. A “lien” is often referred to as a security interest, deed of trust, mortgage, or security deed. The property subject to a lien is often referred to as collateral. Even if you do not reaffirm and your personal liability on the debt is discharged, your creditor may still have a right under the lien to take the collateral if you do not pay or default on the debt. If the collateral is personal property that is exempt or that the trustee has abandoned, you may be able to redeem the item rather than reaffirm the debt. To redeem, you make a single payment to the creditor equal to the current value of the collateral, as the parties agree or the court determines.
- 4. How soon do you need to enter into and file a reaffirmation agreement?** If you decide to enter into a reaffirmation agreement, you must do so before you receive your discharge. After you have entered into a reaffirmation agreement and all parts of this form that require a signature have been signed, either you or the creditor should file it as soon as possible. The signed agreement must be filed with the court no later than 60 days after the first date set for the meeting of creditors, so that the court will have time to schedule a hearing to approve the agreement if approval is required. However, the court may extend the time for filing, even after the 60-day period has ended.
- 5. Can you cancel the agreement?** You may rescind (cancel) your Reaffirmation Agreement at any time before the bankruptcy court enters your discharge, or during the 60-day period that begins on the date your Reaffirmation Agreement is filed with the court, whichever occurs later. To rescind (cancel) your Reaffirmation Agreement, you must notify the creditor that your Reaffirmation Agreement is rescinded (or canceled). Remember that you can rescind the agreement, even if the court approves it, as long as you rescind within the time allowed.



**6. When will this Reaffirmation Agreement be effective?****a. If you *were* represented by an attorney during the negotiation of your Reaffirmation Agreement and**

i. **if the creditor is not a Credit Union**, your Reaffirmation Agreement becomes effective when it is filed with the court unless the reaffirmation is presumed to be an undue hardship. If the Reaffirmation Agreement is presumed to be an undue hardship, the court must review it and may set a hearing to determine whether you have rebutted the presumption of undue hardship.

ii. **if the creditor is a Credit Union**, your Reaffirmation Agreement becomes effective when it is filed with the court.

**b. If you *were not* represented by an attorney during the negotiation of your Reaffirmation Agreement**, the Reaffirmation Agreement will not be effective unless the court approves it. To have the court approve your agreement, you must file a motion. See Instruction 5, below. The court will notify you and the creditor of the hearing on your Reaffirmation Agreement. You must attend this hearing, at which time the judge will review your Reaffirmation Agreement. If the judge decides that the Reaffirmation Agreement is in your best interest, the agreement will be approved and will become effective. However, if your Reaffirmation Agreement is for a consumer debt secured by a mortgage, deed of trust, security deed, or other lien on your real property, like your home, you do not need to file a motion or get court approval of your Reaffirmation Agreement.

**7. What if you have questions about what a creditor can do?** If you have questions about reaffirming a debt or what the law requires, consult with the attorney who helped you negotiate this agreement. If you do not have an attorney helping you, you may ask the judge to explain the effect of this agreement to you at the hearing to approve the Reaffirmation Agreement. When this disclosure refers to what a creditor “may” do, it is not giving any creditor permission to do anything. The word “may” is used to tell you what might occur if the law permits the creditor to take the action.

**B. INSTRUCTIONS**

1. Review these Disclosures and carefully consider your decision to reaffirm. If you want to reaffirm, review and complete the information contained in the Reaffirmation Agreement (Part I above). If your case is a joint case, both spouses must sign the agreement if both are reaffirming the debt.
2. Complete the Debtor’s Statement in Support of Reaffirmation Agreement (Part II above). Be sure that you can afford to make the payments that you are agreeing to make and that you have received a copy of the Disclosure Statement and a completed and signed Reaffirmation Agreement.
3. If you were represented by an attorney during the negotiation of your Reaffirmation Agreement, your attorney must sign and date the Certification By Debtor’s Attorney (Part IV above).
4. You or your creditor must file with the court the original of this Reaffirmation Documents packet and a completed Reaffirmation Agreement Cover Sheet (Official Bankruptcy Form 427).
5. *If you are not represented by an attorney, you must also complete and file with the court a separate document entitled “Motion for Court Approval of Reaffirmation Agreement” unless your Reaffirmation Agreement is for a consumer debt secured by a lien on your real property, such as your home. You can use Form 2400B to do this.*

## C. DEFINITIONS

1. **“Amount Reaffirmed”** means the total amount of debt that you are agreeing to pay (reaffirm) by entering into this agreement. The total amount of debt includes any unpaid fees and costs that you are agreeing to pay that arose on or before the date of disclosure, which is the date specified in the Reaffirmation Agreement (Part I, Section B above). Your credit agreement may obligate you to pay additional amounts that arise after the date of this disclosure. You should consult your credit agreement to determine whether you are obligated to pay additional amounts that may arise after the date of this disclosure.
2. **“Annual Percentage Rate”** means the interest rate on a loan expressed under the rules required by federal law. The annual percentage rate (as opposed to the “stated interest rate”) tells you the full cost of your credit including many of the creditor’s fees and charges. You will find the annual percentage rate for your original agreement on the disclosure statement that was given to you when the loan papers were signed or on the monthly statements sent to you for an open end credit account such as a credit card.
3. **“Credit Union”** means a financial institution as defined in 12 U.S.C. § 461(b)(1)(A)(iv). It is owned and controlled by and provides financial services to its members and typically uses words like “Credit Union” or initials like “C.U.” or “F.C.U.” in its name.

# UNITED STATES BANKRUPTCY COURT

\_\_\_\_\_ District of \_\_\_\_\_

In re \_\_\_\_\_,

*Debtor*

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

Chapter \_\_\_\_\_

## MOTION FOR APPROVAL OF REAFFIRMATION AGREEMENT

I (we), the debtor(s), affirm the following to be true and correct:

I am not represented by an attorney in connection with this reaffirmation agreement.

I believe this reaffirmation agreement is in my best interest based on the income and expenses I have disclosed in my Statement in Support of Reaffirmation Agreement, and because *(provide any additional relevant reasons the court should consider):*

Therefore, I ask the court for an order approving this reaffirmation agreement under the following provisions *(check all applicable boxes):*

11 U.S.C. § 524(c)(6) (debtor is not represented by an attorney during the course of the negotiation of the reaffirmation agreement)

11 U.S.C. § 524(m) (presumption of undue hardship has arisen because monthly expenses exceed monthly income, as explained in Part II of Form 2400A, Reaffirmation Documents)

Signed: \_\_\_\_\_

*(Debtor)*

\_\_\_\_\_  
*(Joint Debtor, if any)*

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

## Notice Required by 11 U.S.C. § 342(b) for Individuals Filing for Bankruptcy (Form 2010)

This notice is for you if:

**You are an individual filing for bankruptcy,**  
and

**Your debts are 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.”

### The types of bankruptcy that are available to individuals

Individuals who meet the qualifications may file under one of four different chapters of the Bankruptcy Code:

- Chapter 7 — Liquidation
- Chapter 11 — Reorganization
- Chapter 12 — Voluntary repayment plan for family farmers or fishermen
- Chapter 13 — Voluntary repayment plan for individuals with regular income

**You should have an attorney review your decision to file for bankruptcy and the choice of chapter.**

### Chapter 7: Liquidation

	\$245	filing fee
	\$78	administrative fee
+	\$15	trustee surcharge
	\$338	total fee

Chapter 7 is for individuals who have financial difficulty preventing them from paying their debts and who are willing to allow their non-exempt property to be used to pay their creditors. The primary purpose of filing under chapter 7 is to have your debts discharged. The bankruptcy discharge relieves you after bankruptcy from having to pay many of your pre-bankruptcy debts. Exceptions exist for particular debts, and liens on property may still be enforced after discharge. For example, a creditor may have the right to foreclose a home mortgage or repossess an automobile.

However, if the court finds that you have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge.

You should know that even if you file chapter 7 and you receive a discharge, some debts are not discharged under the law.

Therefore, you may still be responsible to pay:

- most taxes;
- most student loans;
- domestic support and property settlement obligations;

- most fines, penalties, forfeitures, and criminal restitution obligations; and
- certain debts that are not listed in your bankruptcy papers.

You may also be required to pay debts arising from:

- fraud or theft;
- fraud or defalcation while acting in breach of fiduciary capacity;
- intentional injuries that you inflicted; and
- death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs.

If your debts are primarily consumer debts, the court can dismiss your chapter 7 case if it finds that you have enough income to repay creditors a certain amount. You must file *Chapter 7 Statement of Your Current Monthly Income* (Official Form 122A-1) if you are an individual filing for bankruptcy under chapter 7. This form will determine your current monthly income and compare whether your income is more than the median income that applies in your state.

If your income is not above the median for your state, you will not have to complete the other chapter 7 form, the *Chapter 7 Means Test Calculation* (Official Form 122A-2).

If your income is above the median for your state, you must file a second form—the *Chapter 7 Means Test Calculation* (Official Form 122A-2). The calculations on the form—sometimes called the *Means Test*—deduct from your income living expenses and payments on certain debts to determine any amount available to pay unsecured creditors. If

your income is more than the median income for your state of residence and family size, depending on the results of the *Means Test*, the U.S. trustee, bankruptcy administrator, or creditors can file a motion to dismiss your case under § 707(b) of the Bankruptcy Code. If a motion is filed, the court will decide if your case should be dismissed. To avoid dismissal, you may choose to proceed under another chapter of the Bankruptcy Code.

If you are an individual filing for chapter 7 bankruptcy, the trustee may sell your property to pay your debts, subject to your right to exempt the property or a portion of the proceeds from the sale of the property. The property, and the proceeds from property that your bankruptcy trustee sells or liquidates that you are entitled to, is called *exempt property*. Exemptions may enable you to keep your home, a car, clothing, and household items or to receive some of the proceeds if the property is sold.

Exemptions are not automatic. To exempt property, you must list it on *Schedule C: The Property You Claim as Exempt* (Official Form 106C). If you do not list the property, the trustee may sell it and pay all of the proceeds to your creditors.

---

## Chapter 11: Reorganization

---

	\$1,167	filing fee
+	\$571	administrative fee
	\$1,738	total fee

Chapter 11 is often used for reorganizing a business, but is also available to individuals. The provisions of chapter 11 are too complicated to summarize briefly.

## Read These Important Warnings

Because bankruptcy can have serious long-term financial and legal consequences, including loss of your property, you should hire an attorney and carefully consider all of your options before you file. Only an attorney can give you legal advice about what can happen as a result of filing for bankruptcy and what your options are. If you do file for bankruptcy, an attorney can help you fill out the forms properly and protect you, your family, your home, and your possessions.

Although the law allows you to represent yourself in bankruptcy court, you should understand that many people find it difficult to represent themselves successfully. The rules are technical, and a mistake or inaction may harm you. If you file without an attorney, you are still responsible for knowing and following all of the legal requirements.

You should not file for bankruptcy if you are not eligible to file or if you do not intend to file the necessary documents.

Bankruptcy fraud is a serious crime; you could be fined and imprisoned if you commit fraud in your bankruptcy 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.

---

### Chapter 12: Repayment plan for family farmers or fishermen

---

	\$200	filing fee
+	\$78	<u>administrative fee</u>
	\$278	total fee

Similar to chapter 13, chapter 12 permits family farmers and fishermen to repay their debts over a period of time using future earnings and to discharge some debts that are not paid.

---

### Chapter 13: Repayment plan for individuals with regular income

---

	\$235	filing fee
+	\$78	<u>administrative fee</u>
	\$313	total fee

Chapter 13 is for individuals who have regular income and would like to pay all or part of their debts in installments over a period of time and to discharge some debts that are not paid. You are eligible for chapter 13 only if your debts are not more than certain dollar amounts set forth in 11 U.S.C. § 109.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, usually using your future earnings. If the court approves your plan, the court will allow you to repay your debts, as adjusted by the plan, within 3 years or 5 years, depending on your income and other factors.

After you make all the payments under your plan, many of your debts are discharged. The debts that are not discharged and that you may still be responsible to pay include:

- domestic support obligations,
- most student loans,
- certain taxes,
- debts for fraud or theft,
- debts for fraud or defalcation while acting in a fiduciary capacity,
- most criminal fines and restitution obligations,
- certain debts that are not listed in your bankruptcy papers,
- certain debts for acts that caused death or personal injury, and
- certain long-term secured debts.

### **Warning: File Your Forms on Time**

Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information about your creditors, assets, liabilities, income, expenses and general financial condition. The court may dismiss your bankruptcy case if you do not file this information within the deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

For more information about the documents and their deadlines, go to:

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

### **Bankruptcy crimes have serious consequences**

- If you knowingly and fraudulently conceal assets or make a false oath or statement under penalty of perjury—either orally or in writing—in connection with a bankruptcy case, you may be fined, imprisoned, or both.
- All information you supply in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the U.S. Trustee, the Office of the U.S. Attorney, and other offices and employees of the U.S. Department of Justice.

### **Make sure the court has your mailing address**

The bankruptcy court sends notices to the mailing address you list on *Voluntary Petition for Individuals Filing for Bankruptcy* (Official Form 101). To ensure that you receive information about your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address.

A married couple may file a bankruptcy case together—called a *joint case*. If you file a joint case and each spouse lists the same mailing address on the bankruptcy petition, the bankruptcy court generally will mail you and your spouse one copy of each notice, unless you file a statement with the court asking that each spouse receive separate copies.

### **Understand which services you could receive from credit counseling agencies**

The law generally requires that you receive a credit counseling briefing from an approved credit counseling agency. 11 U.S.C. § 109(h). If you are filing a joint case, both spouses must receive the briefing. With limited exceptions, you must receive it within the 180 days **before** you file your bankruptcy petition. This briefing is usually conducted by telephone or on the Internet.

In addition, after filing a bankruptcy case, you generally must complete a financial management instructional course before you can receive a discharge. If you are filing a joint case, both spouses must complete the course.

You can obtain the list of agencies approved to provide both the briefing and the instructional course from: <http://www.uscourts.gov/services-forms/bankruptcy/credit-counseling-and-debtor-education-courses>.

In Alabama and North Carolina, go to:

<http://www.uscourts.gov/services-forms/bankruptcy/credit-counseling-and-debtor-education-courses>.

If you do not have access to a computer, the clerk of the bankruptcy court may be able to help you obtain the list.

## **Section 522 FEDERAL EXEMPTIONS**

<i>Type of Property</i>	<b>Amount of Exemption/ Type of Property</b>	<i>Statute</i>
<i>Aggregate interest in real or personal property, or in a cooperative, used by debtor or his dependent as a residence, or in a burial plot for debtor or a dependent</i>	\$27,900	522(d)(1)
<i>Interest in one motor vehicle</i>	\$4,450	522(d)(2)
<i>Household furnishings, household goods, wearing apparel, appliances, books, animals, crops, musical instruments held primarily for personal, family or household use of debtor or dependent</i>	\$700 in any particular item \$14,875 in aggregate value	522(d)(3)
<i>Aggregate interest in jewelry held primarily for personal, family, or household use of debtor or dependent</i>	\$1,875	522(d)(4)
<i>“WILD CARD”</i>	\$1,475 plus up to \$13,950 of any unused amount from (d)(1)	522(d)(5)
<i>Aggregate interest in any implements, professional books, tools of the trade of the debtor or dependent</i>	\$2,800	522(d)(6)
<i>Unmatured life insurance contract owned by the debtor, other than a credit life insurance contract</i>	100%	522(d)(7)
<i>Aggregate interest in accrued dividend or interest under, or loan value of any unexpired life insurance contract owned by the debtor under which debtor or dependent is the insured</i>	\$14,875 less any amount transferred under §542(d)	522(d)(8)
<i>Professionally prescribed health aids for debtor or dependent</i>	100%	522(d)(9)
<i>Debtor’s right to receive a social security benefits, unemployment compensation, or a local public assistance benefit</i>	100%	522(d)(10)(A)
<i>Debtor’s right to receive a veteran’s benefit</i>	100%	522(d)(10)(B)
<i>Debtor’s right to receive a disability, illness, or unemployment benefit</i>	100%	522(d)(10)(C)
<i>Debtor’s right to receive alimony, support, or separate maintenance</i>	to the extent reasonably necessary for the support of the	522(d)(10)(D)



<i>Type of Property</i>	<i>Amount of Exemption/ Type of Property</i>	<i>Statute</i>
	debtor and any dependent of debtor	
<i>Debtor's right to receive a payment under a stock bonus, pension, profit sharing, annuity, or similar plan or contract on account of illness, disability, death, age, or length of service</i>	to the extent reasonably necessary for the support of the debtor and any dependent of debtor, unless--(i) such plan was established by or under auspices of an insider that employed the debtor at the time the debtor's rights under such plan or contract arose; (ii) such payment is on account of age or length of service; and (iii) such plan or contract does not qualify under §401(a), 403(a), 403(b), or 408 of the IRC of 1986	522(d)(10)(E)
<i>Debtor's right to receive, or property that is traceable to an award under a crime victim's reparation law</i>	100%	522(d)(11)(A)
<i>Debtor's right to receive, or property that is traceable to a payment on account of the wrongful death of an individual of whom the debtor was a dependent</i>	to the extent reasonably necessary for the support of the debtor and any dependent of the debtor	522(d)(11)(B)
<i>Debtor's right to receive or property that is traceable to a payment under a life insurance contract that insured a person of whom debtor was a dependent on the date of such individual's death</i>	to the extent reasonably necessary for the support of the debtor and any dependent of the debtor	522(d)(11)(C)
<i>Debtor's right to receive or property that is traceable to a payment for personal bodily injury of the debtor or an individual of whom the debtor is a dependent</i>	\$27,900, not including pain and suffering or compensation for actual pecuniary loss	522(d)(11)(D)
<i>Debtor's right to receive or property that is traceable to a payment in compensation of loss of future earnings of the debtor or an individual to whom the debtor is/was a dependent</i>	to the extent reasonably necessary for the support of the debtor and any dependent of the debtor	522(d)(11)(E)
<i>Debtor's right to retirement funds that are exempt from taxation</i>	to the extent not taxable	522(d)(12)

## **NEW JERSEY STATE EXEMPTIONS**

<b>Type of Property</b>	<b>Amount of Exemption</b>	<b>Statute Creating Exemption</b>
Cemetery property	100%	N.J.S.A. 45:27-20(e)
Wearing apparel	no limit	N.J.S.A. 2A:17-19
Household goods & furniture	\$1,000	N.J.S.A. 2A:26-4
Goods, chattels, share of stock & personal property of any kind	\$1,000	N.J.S.A. 2A:17-19
Unemployment compensation benefits	no limit	N.J.S.A. 43:21-15(c), 21-53
Old age assistance payments	no limit	N.J.S.A. 44:7-35
Workmen's compensation benefits	no limit	N.J.S.A. 34:15-29
Military pay, allowances & benefits of members of state militia	no limit	N.J.S.A. 38A:4-8
Health & disability insurance proceeds & avails	no limit	N.J.S.A. 17B:24-8
Benefit from mutual life, health, casualty insurance paid on disability from injury or sickness	no limit	N.J.S.A. 17:18-12
Fraternal Benefit Society benefits	no limit	N.J.S.A. 17:44B-1
Annuity contract benefits	\$500 per month	N.J.S.A. 17B:24-7(a)(2)
Proceeds of life insurance policies payable to persons other than the insured, the person effecting the insurance, or the executors or administrators of such insured or the person so effecting such insurance	no limit	N.J.S.A. 17B:24-6
Group life or group health insurance policies & proceeds	no limit	N.J.S.A. 17B:24-9
Civil defense injury & death benefits	no limit	N.J.S.A. App.A:9-57.6
Health employees pension benefits	no limit	N.J.S.A. 43:18-12
Street & Water Dept. employees pension benefits	no limit	N.J.S.A. 43:19-17
Prison officers retirement benefits	no limit	N.J.S.A. 43:7-13(e)
Municipal employees retirement & pension benefits	no limit	N.J.S.A. 43:13-9, 13-22.34, 13-22.60,

13-37.5, 13-44

County employees retirement & pension benefits	no limit	N.J.S.A. 43:10-14, 10-18.22, 10-18.71, 10-57
Police & Firemen's retirement & pension benefits	no limit	N.J.S.A. 43:16-7, 16A-17
Alcoholic Beverage Law Enforcement Officers pension fund benefits	no limit	N.J.S.A. 43:8A-20
Judicial Retirement Systems benefits	no limit	N.J.S.A. 43:6A-41
Public employees pensions	no limit	N.J.S.A. 43:15A-53
School district employees retirement & pension benefits	no limit	N.J.S.A. 18A:66-116
Teachers' retirement & pension benefits	no limit	N.J.S.A. 18A: 66-51
State Police retirement & pension benefits	no limit	N.J.S.A. 53:5A-45
Specific partnership property	100% of partner's interest, except on a claim against the partnership	N.J.S.A. 42:1A-11, 1A-27
Crime victim's compensation	100%	N.J.S.A. 52:4B-18
Qualifying Trust	100%	N.J.S.A. 25:2-1
Court interpreters	100%	N.J.S.A. 43:10-105

## **OTHER FEDERAL EXEMPTIONS**

<b>Type of Property</b>	<b>Statute</b>
Foreign Service Retirement and Disability Payments	22 U.S.C. § 4060(c)
Social Security Payments	42 U.S.C. § 407(a)
Injury or Death Compensation Payments from War Risk Hazards	42 U.S.C. § 1717
Wages of Fishermen, Seamen and Apprentices	46 U.S.C. § 11109(a)
Civil Service Retirement Benefits	5 U.S.C. § 8346(a)
Longshoremen's and Harbor Worker's Compensation Act Death and Disability Benefits	33 U.S.C. § 916
Railroad Retirement Act Annuities and Pensions	45 U.S.C. § 231M(a)
Railroad Unemployment Benefits	45 U.S.C. § 352(e)
Special Pensions Paid to Winners of the Congressional Medal of Honor	38 U.S.C. § 1562(c)
Veterans Benefits	38 U.S.C. § 5301(a)

## ***NONDISCHARGEABILITY PROVISIONS***

<b>Statute</b>	<b>Debts Excepted from Discharge</b>
523(a)(1)(A)	administrative taxes and other taxes as provided in 507(a)(2) & (8)
523(a)(1)(B)	taxes with respect to returns not filed or filed late but within two years of the petition
523(a)(1)(C)	taxes with respect to fraudulent returns or evasions of the tax
523(a)(2)(A)	money, property, services, or credit changes obtained by false pretenses, false representations or actual fraud
523(a)(2)(B)	money, property, services, or credit changes obtained by a materially false written statement respecting the debtor's financial condition published with the intent to deceive and relied upon by the creditor
523(a)(2)(C)	consumer debts owed to a single creditor for more than \$725 in luxury goods or services incurred within 90 days before the order for relief, or cash advances totaling more than \$1,000 within 70 days of the petition
523(a)(3)	debts not listed or scheduled in time to permit a proof of claim to be filed with respect to debts covered by 523(a)(2), (4), or (6)
523(a)(4)	debts for fraud or defalcation while acting in a fiduciary capacity, embezzlement or larceny
523(a)(5)	domestic support obligations
523(a)(6)	debts for willful and malicious injury by the debtor to another entity or its property
523(a)(7)	debts for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit and not compensation for actual pecuniary loss, other than certain tax penalties
523(a)(8)	student loans unless the exception will impose an undue hardship on the debtor
523(a)(9)	debts for death or personal injury caused by the debtor's unlawful operation of a motor vehicle, vessel or aircraft while intoxicated
523(a)(10)	debts that were or could have been listed in a prior case of the debtor's in which debtor waived discharge or was denied discharge under certain sections of the code
523(a)(11)	debts provided in any final judgment or order arising from acts of fraud or defalcation while acting in a fiduciary capacity committed with respect to any depository or insured credit union
523(a)(12)	debts for malicious or reckless failure to fulfill any commitment by the debtor with respect to FDIRA requirements
523(a)(13)	restitution orders under title 18

<b>Statute</b>	<b>Debts Excepted from Discharge</b>
523(a)(14)	debt incurred to pay a tax that would be nondischargeable under (a)(1)
523(a)(14A)	debt incurred to pay tax to governmental unit other than the U.S.
523(a)(14B)	debt incurred to pay fines or penalties under federal election laws
523(a)(15)	debts to a spouse, former spouse or child of the debtor and not of the kind in (a)(5), incurred in a separation or divorce
523(a)(16)	debts for fees or assessment that become due after the order for relief to a condominium or cooperative association or lot in a homeowner's association as long as the debtor or the trustee has a legal, equitable or possessory ownership interest
523(a)(17)	fees imposed on a prisoner by a court for filing a case, motion, complaint, appeal or other court costs
523(a)(18)	debts owed to a pension, profit-sharing, stock bonus, or other plan established under 401, 403, 408, 408A, 414, 457 or 501(c) of IRC under a loan from a retirement or thrift savings plan
523(a)(19)	certain debt for a violation of the federal securities laws

## **COMMONLY ASKED QUESTIONS**

### 1. What persons are not eligible for a Chapter 7 discharge?

- ▶ A person who has been granted a discharge in a Chapter 7 case filed within the last eight years.
- ▶ A person who has been granted a discharge in a Chapter 13 case filed within the last six years, unless 70 percent or more of the unsecured claims were paid off in the Chapter 13 case.
- ▶ A person who files a waiver of discharge that is approved by the court in the Chapter 7 case.
- ▶ A person who conceals, transfers, or destroys his or her property with the intent to defraud his or her creditors or the trustee in the Chapter 7 case.
- ▶ A person who conceals, destroys, or falsifies records of his or her financial condition or business transactions.
- ▶ A person who makes false statements or claims in the Chapter 7 case, or who withholds information from the trustee.
- ▶ A person who fails to satisfactorily explain any loss or deficiency of his or her assets.
- ▶ A person who refuses to answer questions or obey orders of the bankruptcy court, either in his or her bankruptcy case or in the bankruptcy case of a relative, business associate, or corporation with which he or she is associated.

### 2. When should both spouses file a joint petition under Chapter 7?

When one or more substantial dischargeable debts are owed by both spouses. If both spouses are liable for a substantial debt and only one spouse files under Chapter 7, the creditor may later attempt to collect the debt from the nonfiling spouse, even if he or she has no income or assets.

### 3. How does filing under Chapter 7 affect a person's credit rating?

The credit rating of a person who files a Chapter 7 case will get worse. However, some financial institutions openly solicit business from persons who have recently filed under Chapter 7. If there are compelling reasons for filing under Chapter 7 that are not within the debtor's control (such as an illness or an injury), some credit rating agencies may take that into account in rating the debtor's credit after filing.

### 4. May a person file under Chapter 7 if his or her debts are being administered by a financial counselor?

Yes. A financial counselor has no legal right to prevent anyone from filing under Chapter 7.

### 5. Are employers notified of Chapter 7 cases?

Employers are not usually notified when a Chapter 7 case is filed. However, the trustee in a Chapter 7 case often contacts an employer seeking information as to the status of the debtor's wages or salary at the time the case was filed. If there are compelling reasons for not informing an employer in a particular case, the trustee should be so informed and he or she may be willing to make other arrangements to obtain the necessary information.

6. Does a person lose all of his or her property by filing under Chapter 7?

Certain property is exempt and cannot be taken by creditors, unless it is encumbered by a valid mortgage or lien. A debtor is usually allowed to retain his or her unsecured exempt property in a Chapter 7 case. A debtor may also be allowed to retain certain secured exempt property.

7. How are secured creditors dealt with in a Chapter 7 case?

Secured creditors are creditors with valid mortgages or liens against property of the debtor. Property of the debtor that is encumbered by a valid mortgage or lien is called secured property. A secured creditor is usually permitted to repossess or foreclose its secured property, unless the value of the secured property exceeds the amount owed to the creditor. After a petition has been filed, a secured creditor must prove the validity of its mortgage or lien and obtain a court order before repossessing or foreclosing on secured property. The debtor should not turn any property over to a secured creditor until a court order has been obtained. The debtor may be permitted to retain or redeem certain secured personal property.

8. How are unsecured creditors dealt with in a Chapter 7 case?

An unsecured creditor is a creditor without a valid lien or mortgage against property of the debtor. If the debtor has nonexempt assets, unsecured creditors may file claims with the court within 90 days after the first date set for the meeting of creditors. The trustee will examine these claims and file objections to those deemed improper. When the trustee has collected all of the debtor's nonexempt property and converted it to cash, and when the court has ruled on the trustee's objections, the trustee will distribute the funds to the unsecured creditors according to the priorities set forth in the Bankruptcy Code. Administrative expenses, claims for wages, salaries, and contributions to employee benefit programs, claims for the refund of certain deposits, and tax claims, are given priority, in that order, in the payment of dividends by the trustee. If there are funds remaining after the payment of these priority claims, they are distributed pro rata to the remaining unsecured creditors.

9. How can a debtor minimize the amount of money or property that must be turned over to the trustee in a Chapter 7 case?

In a Chapter 7 case the debtor is required to turn over to the trustee only the nonexempt money or property that he or she possessed at the time the case was filed. Many nonexempt assets of consumer debtors are liquid in nature and tend to vary in size or amount from day to day. The most common nonexempt liquid assets, and the assets that the trustee will be most likely to look for, include the following: (1) cash, (2) bank accounts, (3) prepaid rent, (4) landlord and utility deposits, (5) accrued earnings and benefits, and (6) tax refunds.



It is usually advantageous for the debtor to take steps to insure that the value of each of these assets is as low as possible on the day and hour that the Chapter 7 case is filed. By doing this the debtor will not be cheating or acting illegally; the debtor will simply be using the law to his or her advantage, much the same as a person who takes advantage of loopholes in the tax laws.

**Cash.** If possible, the debtor should have no cash on hand when the Chapter 7 case is filed. Further, if the debtor has received cash or the equivalent of cash in the form of a paycheck or the closing of a bank account shortly before the filing of the case, the debtor should obtain receipts when disposing of the funds in order to prove to the trustee and the court that the funds were disposed of prior to the filing of the case. Money possessed by the debtor shortly before the filing of the Chapter 7 case, may be spent on such items as food and groceries, the Chapter 7 filing fee, the attorney's fee in the Chapter 7 case, and the payment of \$600 to creditors whom the debtor intends to continue paying after the filing of the Chapter 7 case. Payments should not be made to friends or relatives, however, as the trustee may later recover these payments.

**Bank Accounts.** The best practice is to close out all bank accounts before filing under Chapter 7. If a bank account is not closed, the balance of the account should be as close to zero as the bank will allow and all out-standing checks must clear the account before the case is filed. If the debtor has written a check to someone for, say, \$50 and if the check has not cleared the account when the case is filed, the \$50 in the account to cover the outstanding check will be deemed an asset of the debtor and will have to be paid to the trustee.

**Prepaid Rent.** If the debtor's rent is paid on the first day of the month and if the debtor's Chapter 7 case is filed on the tenth day of the month, the portion of the rent covering the last 20 days of the month, if not exempt, will be deemed an asset of the debtor and will later have to be paid to the trustee. If possible, the debtor should make arrangements with the landlord to pay rent only through the date that the case is to be filed and to pay the balance of the rent from funds acquired after the case is filed. If this is not possible, the case should be filed near the end of the rent period.

**Landlord and Utility Deposits.** Unless they are exempt, the debtor may attempt to obtain the refund of all landlord and utility deposits before filing a Chapter 7 case. Otherwise, the deposits, or their cash equivalents, will have to be paid to the trustee.

**Accrued Earnings and Benefits.** In most states, and under the federal law, only a certain percentage (usually 75%) of a debtor's earnings are exempt. Therefore, the trustee may be allowed to take the nonexempt portion (usually 25%) of any accrued and unpaid wages, salary, commissions, vacation pay, sick leave pay, and other accrued and nonexempt employee benefits. Normally, then, the best time to file a Chapter 7 case is the morning after payday. Even then, if the pay period does not end on payday, the debtor may have accrued earnings unless special arrangements are made with the employer. If annual leave or vacation pay is convertible to cash, it should be collected by the debtor before the Chapter 7 case is filed, as should any other nonexempt employee benefits that are convertible to cash.

**Tax Refunds.** In most states, a tax refund is nonexempt and becomes the property of the trustee if it has not been received by the debtor prior to the filing of a Chapter 7 case. Therefore, if the debtor is scheduled to receive a tax refund,

a Chapter 7 case should not be filed until after the refund has been received and disposed of. Even if the case is filed before the end of the tax year, if the debtor later receives a refund, the trustee may be entitled to the portion of the refund earned prior to the filing of the case. The best practice, then, is to either file the Chapter 7 case early in the tax year (but after the refund from the previous year has been received) or make arrangements to insure that there will be not tax refund for that year.

10. How long does a Chapter 7 case last?

A Chapter 7 case begins with the filing of the case and ends with the closing of the case by the court. If the debtor has no nonexempt assets for the trustee to collect, the case will most likely be closed shortly after the debtor receives his or her discharge, which is usually four months after the case is filed. If the debtor has nonexempt assets for the trustee to collect, the length of the case will depend on how long it takes the trustee to collect the assets and perform his or her other duties in the case. Most consumer cases with assets last about six months, but some last considerably longer.

11. What should a person do if a creditor later attempts to collect a debt that was discharged under Chapter 7?

When a Chapter 7 discharge is granted, the court enters an order prohibiting the debtor's creditors from later attempting to collect any discharged debt from the debtor. Any creditor who violates this court order may be held in contempt of court and may be liable to the debtor in damages. If a creditor later attempts to collect a discharged debt from the debtor, the debtor should give the creditor a copy of the order of discharge and inform the creditor in writing that the debt has been discharged under Chapter 7. If the creditor persists, the debtor should contact an attorney. If a creditor files a lawsuit against the debtor on a discharged debt, it is important not to ignore the matter, because even though a judgment entered against the debtor on a discharged debt can later be voided, voiding the judgment may require the services of an attorney, which could be costly to the debtor.

**RUTGERS BANKRUPTCY PRO BONO PROJECT**  
**STUDENT EVALUATION**

Each student is required to fill out this form for each client interview they participate in or observe. All information provided will be kept CONFIDENTIAL. The only people who will have access to these forms are the Project Coordinators. Please feel free to add additional comments.

Your Name: \_\_\_\_\_  
Attorney's Name: \_\_\_\_\_  
Client's Name: \_\_\_\_\_  
Date of Interview: \_\_\_\_\_

1. Who conducted the interview? If more than one person, who did what? What do you feel you added to the interviewing process? Now that the initial interview has been completed, what are the next steps in your case and who will be doing what?

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

2. What was your impression of the attorney that you worked with? If you had the option to work with this attorney again, would you want to, why or why not?

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

3. What do you like about the program? What do you dislike about the program? Assuming that you had to change this program, what changes would you implement?

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

4. Are there any questions to which you would like a personal response? If so, what is the question? All responses will be placed in your mail folder, unless you specify otherwise.

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