

PREPARING FOR BANKRUPTCY

The new bankruptcy law became effective on 17 October 2005. The information contained below is intended to advise you of your obligations under the new law and to help ensure our compliance with the new law. Please read all of the information carefully and follow all instructions to the best of your ability.

The initial office visit or telephone interview is intended to acquaint you with basic information about bankruptcy and to assess your current financial situation in order to determine your need and eligibility for the filing of a bankruptcy case.

In order to comply with the new bankruptcy law and to effectively complete this evaluation you will need to supply as much of the following information as possible:

✍ **IDENTIFICATION.** The new bankruptcy law requires that you provide proof that you are who you say you are. Please bring with you to the initial office visit an official photo ID (i.e., a driver's license) and your Social Security card.

✍ **PROOF OF INCOME.** The new bankruptcy law requires that you provide proof of your average monthly gross income from all sources for the **last 6 months beginning with the first month before your scheduled office visit.** Please bring with you to the initial office visit all available pay stubs or other records of income for the past seven months to include records or receipts from employment income, tips, bonuses, commissions, child support, spousal support, support from someone paying or sharing your living expenses, rental income, unemployment compensation, social security, retirement, pension, interest, dividends, or income from any other source. If you are filing with a spouse then you will need to provide this information for both you and your spouse.

✍ **DEDUCTIONS TO INCOME.** The new bankruptcy law requires that you provide proof of any deductions from your income to include federal and state taxes, retirement plan contributions, retirement plan loan repayments, insurance, court-ordered payments, garnishments, and all other deductions whether voluntary or involuntary. If you have your own business, you must provide a complete listing of all of your monthly business expenses including a year-to-date or recent monthly Profit & Loss Statement for your business, if possible. Please bring with you to the initial office visit as much documentation as you have available for the **last seven months.**

✍ **BANKING RECORDS.** Please provide monthly statements from your bank, credit union, or other financial institution for the **last seven months.**

✍ **INCOME TAX RETURNS.** The new bankruptcy law requires that you provide proof of your annual gross income for the **last 4 years** and proof that you filed tax returns for these years. Please bring with you to the initial office visit copies of your filed income tax returns for the **last 4 years.** If have not filed any of these tax returns please begin that process as soon as possible, as we will not be able to file a bankruptcy until those tax returns are filed.

✍ **HOUSEHOLD EXPENSES.** The new bankruptcy law requires a listing of your monthly household expenses including those for mortgage or rent, utility services (electricity, gas, fuel oil, propane, water and sewage), telephone service, cable or satellite television service, home maintenance, food, clothing, laundry and dry cleaning, medical and dental, transportation, recreation, clubs, entertainment, charitable contributions, insurance (homeowner or renter, life, health, auto), taxes on property, alimony, maintenance, child support, etc. Please bring with you to the initial office visit as much documentation as you have available for the **last seven months.**

✍ **CREDIT REPORT.** A new Federal law makes you eligible to receive a free credit report annually from each of the three credit reporting agencies. Please request your free credit report online by visiting www.annualcreditreport.com. You may also request your free credit report by mail or by phone. Mail your request to Annual Credit Report Service, PO Box 105281, Atlanta, GA 30348-5281 or phone 1-877-322-8228 toll free. An Annual Credit Report Request Form is attached.

✍ **DEBT COUNSELING REQUIREMENT.** You are not eligible to file a bankruptcy unless you receive an individual or group briefing from an approved nonprofit budget and counseling agency. That briefing must outline your opportunities for available credit counseling and assist you in performing a related budget analysis. It must occur within 180 days prior to filing the bankruptcy. It can take place on the internet or by telephone. If you have not yet received the counseling and you want our assistance, we will help you make the arrangements for it.

✍ **ACCOUNT STATEMENTS.** The new bankruptcy law requires a listing of all of your debts including those for credit cards, medical bills, personal loans, auto loans, furniture loans, jewelry loans, lawsuits, etc. Please bring with you to the initial office visit as much documentation as you have available for the **last 90 days** on all such debts.

✍ **PROPERTY DOCUMENTS.** The new bankruptcy law requires documentation of all contracts and security agreements including those for mortgages and leases, refinancing, transfers of ownership, time shares, stocks, car loans and leases, furniture rental and leases, jewelry loans, etc. Please bring with you to the initial office visit as much documentation as you have available for the **last four years**.

✍ **PROOF OF INSURANCE.** The new bankruptcy law requires proof of insurance on all property secured by a lien including homeowners insurance, automobile insurance, etc. Please bring with you to the initial office visit as much documentation as you have available.

✍ **DOMESTIC SUPPORT OBLIGATIONS.** If you pay any child support, alimony, or support you need to bring all documents associated with such payments. You must provide some proof that you are current on these obligations and provide the name and address where those documents are required to be sent.

✍ **OTHER DOCUMENTS.** The production of other documents as required by the new bankruptcy law includes those for any bankruptcy you filed during the **last eight years**, a list of all of your addresses for the **last three years**, documentation of any felony conviction, money or property received from a trust or probate estate, Educational IRAs or tuition programs, etc. Please bring with you to the initial office visit as much documentation as you have available.

If you do not have any of the above information available for the initial office visit or telephone interview, then you may need to contact your employer, human resources officer, income tax preparer, bank or credit union, service providers or other sources to request this information. **Please do not cancel your appointment for your initial office visit or telephone interview simply because you do not have these records.** We may be able to assist you in retrieving these records.