

Claeys, McElroy-Magruder & Associates

Bankruptcy Consultation

Thank you for choosing our firm to help your family in your time of financial difficulty. This packet is designed to gather the information that is necessary for us to develop a clear picture of your financial situation and to ensure that we can offer you the best advice possible.

As you fill out the paperwork, please answer all questions truthfully and completely. If something does not apply to you, *do not leave it blank!* Please write "none", "n/a" or something similar in the blank. This information will be used to prepare your bankruptcy schedules, which you will be signing under the penalty of perjury. If any additional information is needed to explain your answer, please add it in the margin. If you do not understand a question or section, please ask! We are happy to help.

Today's Date: _____

Name:	Spouse:
SSN:	SSN:
Date of Birth:	Date of Birth:

Have you been known by any other name or done business in any other name in the last eight years?
 Yes No If so, what name(s)? _____

Street Address:		County:
City:	State: Georgia	Zip Code:
How long have you been at this address? _____ years and _____ months		
Mailing Address (if different):		
City:	State: Georgia	Zip Code:
Home Phone:	Relative Phone:	
Husband Work Phone:	Husband Cell Phone:	
Wife Work Phone:	Wife Cell Phone:	
E-mail Address:		

Have you ever filed bankruptcy before? Yes No
 If yes, in what city and state? _____

What is your marital status? Single Married Divorced Separated

Will you be filing alone or with your spouse? Alone Together

If divorced, in what year and county/state? _____

Have you completed all required tax filings? Yes No

If you answered no, please stop and see a CMM staff member before continuing.

Which years are not filed? _____

Reason for not filing: _____

We are required by law to disclose certain information to you before you file bankruptcy. Please read the following two disclosures and sign after each one. Your attorney thinks this is a huge waste of paper, but here it is.

NOTICE AS REQUIRED BY 11 U.S.C. 527(b).

IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER.

If you decide to seek bankruptcy relief, you can represent yourself, you can hire an attorney to represent you, or you can get help in some localities from a bankruptcy petition preparer who is not an attorney. THE LAW REQUIRES AN ATTORNEY OR BANKRUPTCY PETITION PREPARER TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY OR BANKRUPTCY PETITION PREPARER WILL DO FOR YOU AND HOW MUCH IT WILL COST. Ask to see the contract before you hire anyone.

The following information helps you understand what must be done in a routine bankruptcy case to help you evaluate how much service you need. Although bankruptcy can be complex, many cases are routine.

Before filing a bankruptcy case, either you or your attorney should analyze your eligibility for different forms of debt relief available under the Bankruptcy Code and which form of debt relief is most likely to be beneficial for you. Be sure you understand the relief you can obtain and its limitations. To file a bankruptcy case, documents called a Petition, Schedules and Statement of Financial Affairs, as well as in some cases a Statement of Intention, need to be prepared correctly and filed with the bankruptcy court. Once your case starts, you will have to attend the required first meeting of creditors where you may be questioned by a court official called a "trustee" and by creditors.

If you choose to file a chapter 7 case, you may be asked by a creditor to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming your debts. If you choose to file a chapter 13 case in which you repay your creditors whatever you can afford over three to five years, you may also want help in preparing your chapter 13 plan and with the confirmation hearing on your plan which will be before a bankruptcy judge.

If you select another form of relief under the Bankruptcy Code other than chapter 7 or chapter 13 you will want to find out what should be done from someone familiar with that type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court, but only attorneys, not bankruptcy petition preparers, can give you legal advice.

Date: _____

Signature: _____

Signature: _____

NOTICE AS REQUIRED BY 11 U.S.C. 527(a) AND (c).

1. You are required under the Bankruptcy Code to disclose all of your assets and liabilities. You are also required to tender to the court and/or trustee your most recent tax return and 60 days worth of payment vouchers. All information provided in connection with your bankruptcy must be truthful and accurately disclosed. The information must also be complete. You are required to answer a list of questions known as the Statement of Financial Affairs, which seeks information regarding current and past assets and transactions.

2. All assets and liabilities are required to be completely disclosed in documents filed to commence the case, and the replacement value of each asset as defined in 11 U.S.C. 506 must be stated in those documents where requested after reasonable inquiry to establish the value. You are invited to read the Bankruptcy Code for more information. I refer you to 11 U.S.C. 707(b)(2) for specifics regarding these calculations. Of note, you must use retail value and not private party value.

3. You must disclose currently monthly income, the amounts specified in section 707(b)(2), and, in a case under chapter 13 of this title, disposable income (determined in accordance with section 707(b)(2)), are required to be stated after reasonable inquiry.

4. Information that an assisted person (that is you) provides during their case may be audited pursuant to this title. Failure to provide such information may result in dismissal of the case under this title or other sanction, including criminal sanction. *Translation into real-people speak: "DO NOT FIB!"*

5. To determine your list of creditors, you need to know everyone to which you owe money and how much you owe them. Don't forget debts which you dispute and debts on which you a co-signer/co-debtor.

6. You determine what property is exempt by looking at the state exemption laws of Georgia. If you have recently moved to Georgia, you must use the laws of the state in which you lived a majority of the past 180 days.

7. 11 U.S.C. 506 explains that you value property according to the replacement value on the date of filing. Replacement value is the price a retail merchant would charge for your stuff. This section also allows the creditors to commit financial rape (my term and not the code's). Your creditors will throw this section around in support of their collection of various fees and expenses. I don't let them get away with it!

Date: _____

Signature: _____

Signature: _____

As stated in the disclosures, you must give a true and accurate listing of all of the things you own. This list is provided to the court with your initial filing. If you do not own something that is listed, please fill in the blank with "none" or "n/a." **DO NOT LEAVE ANYTHING BLANK.**

SECTION 3a - REAL PROPERTY

Please list any real property (land) owned. **Do not forget to list any rental property, property that you have inherited and/or property on which you owe no money.** If you own only a portion of a property, you must list it also. The court will do a property search that includes the entire United States, so do not omit anything.

RAW LAND

Please list below any land that is empty or undeveloped (i.e. there is no house or other building on it). If the land is developed, please fill out the section after this one.

ADDRESS/LOCATION:	
TAX VALUE: \$	APPRAISED VALUE: \$
LEINHOLDER:	AMOUNT OWED:
DO YOU WANT TO KEEP? <input type="checkbox"/> YES <input type="checkbox"/> NO	STAFF USE: DIRECT PAY? <input type="checkbox"/> YES <input type="checkbox"/> NO
OWNERS OF PROPERTY:	

LAND FINANCED WITH HOUSE (I.E. YOUR HOME)

Please give the following details land that is financed with a house, as well as details on the house.

ADDRESS/LOCATION:	
TAX VALUE: \$	APPRAISED VALUE: \$
APPROXIMATE SIZE OF HOUSE: sqft	APPROXIMATE SIZE OF LOT: acres
YEAR PURCHASED:	AMOUNT PAID: \$
FIRST MORTGAGE: NAME:	AMOUNT OWED: _____ AMOUNT BEHIND: _____
SECOND MORTGAGE: NAME:	AMOUNT OWED: _____ AMOUNT BEHIND: _____
DO YOU WANT TO KEEP? <input type="checkbox"/> YES <input type="checkbox"/> NO	STAFF USE: DIRECT PAY? <input type="checkbox"/> YES <input type="checkbox"/> NO

Please list any additional land and/or homes that you own:

SECTION 3b - MOBILE HOMES

Please list the make and model of any mobile homes in your name, whether or not you live in them.

LOCATION/ADDRESS:	
YEAR:	MAKE:
TAX VALUE:	ACTUAL VALUE:
LIENHOLDER:	AMOUNT OWED: \$ _____ AMOUNT BEHIND: \$ _____
Does it sit on land that is: <input type="checkbox"/> Rented <input type="checkbox"/> Owned by you <input type="checkbox"/> Owned by someone else	
Is the mobile home financed: <input type="checkbox"/> Alone <input type="checkbox"/> With land	

LOCATION/ADDRESS:	
YEAR:	MAKE:
TAX VALUE:	ACTUAL VALUE:
LIENHOLDER:	AMOUNT OWED: \$ _____ AMOUNT BEHIND: \$ _____
Does it sit on land that is: <input type="checkbox"/> Rented <input type="checkbox"/> Owned by you <input type="checkbox"/> Owned by someone else	
Is the mobile home financed: <input type="checkbox"/> Alone <input type="checkbox"/> With land	

SECTION 3c - CEMETERY PLOTS

Please list any cemetery plots owned and provide the location and value.

SECTION 3d - AUTOMOBILES

Please list any automobile that is in your name even if it is not in your possession (i.e. a vehicle you have co-signed for or a vehicle that someone else is driving but the title is in your name). Also list any vehicles that are paid off or that do not run. For the value, please list what you think you could sell the vehicle for. You don't have to sell anything, but we do have to know the value. We will look up the book value.

For Lienholder, list the company that you owe for the car or the company that has the title.

AUTOMOBILE 1

YEAR:	MAKE:	MODEL:
VALUE:	BOOK VALUE:	MILEAGE:
CONDITION: <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Junk/Not Running		DRIVER:
LIENHOLDER:		AMOUNT OWED: \$
LOCATION OF VEHICLE: <input type="checkbox"/> Home <input type="checkbox"/> Other		YEAR PURCHASED:
STAFF USE	910 <input type="checkbox"/> YES <input type="checkbox"/> NO	INT RATE: PAYMENT:

AUTOMOBILE 2

YEAR:	MAKE:	MODEL:
VALUE:	BOOK VALUE:	MILEAGE:
CONDITION: <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Junk/Not Running		DRIVER:
LIENHOLDER:		AMOUNT OWED: \$
LOCATION OF VEHICLE: <input type="checkbox"/> Home <input type="checkbox"/> Other		YEAR PURCHASED:
STAFF USE	910 <input type="checkbox"/> YES <input type="checkbox"/> NO	INT RATE: PAYMENT:

AUTOMOBILE 3

YEAR:	MAKE:	MODEL:
VALUE:	BOOK VALUE:	MILEAGE:
CONDITION: <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Junk/Not Running		DRIVER:
LIENHOLDER:		AMOUNT OWED: \$
LOCATION OF VEHICLE: <input type="checkbox"/> Home <input type="checkbox"/> Other		YEAR PURCHASED:
STAFF USE	910 <input type="checkbox"/> YES <input type="checkbox"/> NO	INT RATE: PAYMENT:

AUTOMOBILE 4

YEAR:	MAKE:	MODEL:
VALUE:	BOOK VALUE:	MILEAGE:
CONDITION: <input type="checkbox"/> Excellent <input type="checkbox"/> Good <input type="checkbox"/> Fair <input type="checkbox"/> Poor <input type="checkbox"/> Junk/Not Running		DRIVER:
LIENHOLDER:		AMOUNT OWED: \$
LOCATION OF VEHICLE: <input type="checkbox"/> Home <input type="checkbox"/> Other		YEAR PURCHASED:
STAFF USE	910 <input type="checkbox"/> YES <input type="checkbox"/> NO	INT RATE: PAYMENT:

SECTION 3e - FINANCIAL ASSETS AND ACCOUNTS

Please provide information regarding your financial assets and accounts. Please fill out all information completely including the name of the institution where the account is held.

Do you have any cash on hand? Yes No If yes, how much? \$_____

Do you have bank account(s)? Yes No If yes, please provide the information below.

Bank/Credit Union Name	Checking/Savings?	Joint Account?	Approximate Balance
		<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	

Do you have life insurance? If so, what kind? Through work Whole life Term Life
 If whole life, what is the cash value of the policy? \$_____

Are you anticipating a tax refund that you haven't received? Yes No If so, how much?
 \$_____

Do you have any retirement accounts? Yes No
 If so, what is the value? HUSBAND: \$_____ WIFE: \$_____

Do you have any other investment accounts (stocks, bonds, annuities, etc)? Yes No
 If so, please give details.

Does anyone, including family members, owe you money? You must list it even if you do not expect to get it back. Yes No If yes, who and how much?

Do you own any stocks, bonds, or annuities? Yes No If so, please give details.

Have you or do you have the right to sue anyone or file a claim against anyone (i.e. personal injury claims, worker's compensation claims, social security claims)? Yes No

Do you have any professional licenses (accounting, cosmetology, nursing, etc.)? Yes No
 If yes, please give details.

SECTION 3f - HOUSEHOLD GOODS

Please indicate the value of the following items. If you do not own a particular item, please write “none” or “n/a.” When considering the value, please list the amount that someone would pay you for the item at a yard sale or if listed in the paper, IWANTA, Penny Saver, Bargain Hunter, Craig’s List, etc. If you are married, please indicate who owns the items with “H” for husband, “W” for wife or “J” for joint. If it is not marked, we will assume that you have a ½ interest in the item. If you have more than one of an item (i.e. tv’s), please list the number owned a total value for all of them.

**THIS DOES NOT MEAN THAT SOMEONE WILL TAKE THE THINGS YOU OWN.
WE JUST HAVE TO DISCLOSE THAT YOU OWN THEM.**

ITEM	VALUE	ITEM	VALUE
ELECTRONICS		APPLIANCES	
Computer(s)		Refrigerator	
Printers/Scanners		Stove	
Televisions		Washer/Dryer	
VCRS/DVD Players		Small Appliances (coffee pot, etc)	
Stereo(s)			
FURNITURE		Other Appliances	
Living Room Furniture		PERSONAL ITEMS	
Bedroom #1 Furniture		Clothing	
Bedroom #2 Furniture		Watches	
Bedroom #3 Furniture		Rings	
Bedroom #4 Furniture		Costume Jewelry	
Dining Room Furniture		Other Jewelry	
Miscellaneous		Furs	
Collectible Items and Hobby Equipments			
Antiques (things over 100 years old)		Sports Equipment	
		Boats/motors/trailers (give year and description)	
Artwork			
Coins, stamps, etc.		Golf carts, ATVs, 4-wheelers, jet skis, etc. (give year and description)	
Music CDs/Albums			
Clocks and Pianos		Guns (give type/value)	
Hunting equipment, fishing poles, etc.			
Miscellaneous			
Riding Lawnmowers		Any other property not listed elsewhere	
Push Mowers			
Tools and yard tools			

The following questions are about your liabilities, or things you owe. You are required to provide information on everything you owe – **NO EXCEPTIONS!** In addition to these questions, we will get information about most of your creditors from your bills and credit report.

Do you owe any family members money, even if they will insist that you not pay it back?
 Yes No If yes, please provide the name, address and amount owed.

Do you have any student loans? Yes No
If yes, are they in deferment or forbearance? Yes No

Do you pay anyone any type of domestic support (such as child support or alimony)? Yes No
If yes, please provide the name and address of the person to whom payments are made and the amount paid.

If you pay domestic support, are you current? Yes No
If no, what is the amount that you are behind? \$_____

If applicable, are the support payments made by the husband or wife?
Are the support payments automatically deducted from a pay check? Yes No

Do you owe any back taxes (such as income tax, property tax, ad valorem tax)? Yes No
If yes, please list the type of tax (income, etc), to whom the tax is owed (IRS, Georgia Department of Revenue, etc), the amount owed and the year for which you owe.

Have you incurred any new debt in the last 90 days? Yes No
If so, give details including creditor, date and amount.

Please give us your adjusted gross household income from working or the operation of a business. This is generally the last line on page one of your federal tax return.

Last year \$ _____ The year before \$ _____

Please give us the total of any income from other sources (such as child support, alimony, food stamps, TANF, etc) received by your household.

Year	Source	Amount	Year	Source	Amount

Have you paid any one creditor a total of \$600 in the last 90 days?

Here's an example: If your mortgage payment is \$250.00 per month, and you have paid them 3 times in the last 90 days, they have been paid a total of \$750 and you would list them below.

Creditor	Total paid in last 90 days	Creditor	Total paid in last 90 days

Have you been sued in the last 2 years? If so, please give details including details such as the county, name of the court, who sued you and case number. You will also need to provide our office with a copy of the court documents for the lawsuit.

Have you had any foreclosures or repossessions in the last year? If so, please give details including the type of property, location, name of the creditor and any amount left owing (the deficiency balance).

Have you given any gifts worth over \$100 in the past year (including Christmas gifts and church tithes)?

Have you had any losses in the past year from theft, fire, other casualty or gambling?

Have you transferred any assets in the past ten years (including property required to be transferred in a divorce or by a court for another reason or real estate that you have sold)? Give details.

Have you closed any financial accounts (like checking, savings, brokerage, etc) in the past year? If so, please give the name of the bank or other institution, the type of account, when you closed it and the balance when you closed it.

Do you have a safe deposit box? If so, please list where it is located and the contents of it.

Do you have any property in your possession that belongs to someone else? If so, please describe.

Have you lived at another address in the past three years? Please list address and dates.

Have you lived in another state in the past 10 years? If so, please give the state and dates.

Please list the amount you pay monthly for each of the following items. If do not pay the bill monthly, convert the amount to a monthly amount (i.e. if you pay \$600 every 6 months for car insurance, \$600 divided by 6 months is \$100 per month). If you need help estimating something, leave it blank and the attorney or paralegal will help you. If something is deducted from your paycheck, do not list it here (i.e. life insurance, child support).

House payment/rent	\$	Medical	\$
Second Mortgage	\$	Dental	\$
Lot Rent	\$	Prescriptions	\$
Gas (for home)	\$	Gas (for car)	\$
Power bill	\$	Car upkeep	\$
Phone (home and cell)	\$	Car tags	\$
Cable or satellite	\$	Recreation (newspapers, etc)	\$
Internet	\$	Homeowners/Renters Insurance	\$
Water	\$	Life Insurance	\$
Security	\$	Auto Insurance	\$
Home maintenance	\$	Taxes (property, etc)	\$
Appliance repair	\$	Childcare	\$
Food (groceries)	\$	Child support	\$
Clothing	\$	Alimony	\$
Laundry/dry cleaning	\$	School lunches	\$
Makeup/toiletries	\$	School supplies	\$
Baby expenses	\$	Non-reimbursed business expenses	\$
IRS/Probation Payments	\$	Church tithes	\$

Do any members of your household who are not filing have creditors/bills/loans/credit cards they pay monthly that are not included in the above budget? Yes No If yes, please give details below.

Type of debt (i.e. credit cards)	Who pays the debt?	Monthly amount

STAFF USE: Please list any direct payments other than mortgage, if any.	TOTAL EXPENSES:
	DISCLOSURES FOR J:

**WE WILL COMPLETE THIS SECTION WITH YOU. PLEASE LEAVE IT BLANK FOR NOW!
WHEN YOU REACH THIS POINT, PLEASE LET A STAFF MEMBER KNOW YOU ARE DONE.**

SECTION 5a - EMPLOYMENT INFORMATION

DEBTOR

EMPLOYER: _____

PAYROLL ADDRESS:

POSITION: _____

TIME AT JOB: _____ years _____ months

DEBTOR

EMPLOYER: _____

PAYROLL ADDRESS:

POSITION: _____

TIME AT JOB: _____ years _____ months

SECTION 5b - CURRENT INCOME

	DEBTOR	JOINT DEBTOR
CURRENT MONTHLY GROSS		
ESTIMATED OVERTIME		
PAYROLL TAXES/SS		
INSURANCE		
UNION DUES		
RETIREMENT		
NET INCOME		
OTHER DEDUCT (explain)		
BUSINESS/FARM/ETC		
RENTAL INCOME		
INTEREST/DIVIDENDS		
SUPPORT PAYMENTS		
SS/GOV'T ASSISTANCE		
PENSION/RETIREMENT		
PRTR		
OTHER INCOME		
TOTAL HOUSEHOLD INCOME		

List any non-filing household members, their age, their income (if any) and source.

Name	Age	Amount of income	Source

Household size for Schedule I: _____ Household size for Means Test: _____

TOTAL INCOME: \$ _____
 TOTAL EXPENSE: \$ _____
 DISPOSABLE INCOME: \$ _____
 13 PAYMENT: \$ _____

SECTION 5c - PREVIOUS SIX MONTHS

DEBTOR

MONTH 1 _____

MONTH 2 _____

MONTH 3 _____

MONTH 4 _____

MONTH 5 _____

MONTH 6 _____

PRITR _____

OTHER _____

TOTAL _____

JOINT DEBTOR

MONTH 1 _____

MONTH 2 _____

MONTH 3 _____

MONTH 4 _____

MONTH 5 _____

MONTH 6 _____

PRITR _____

OTHER _____

TOTAL _____