

Filing Chapter 7 Bankruptcy: Where to Start

Before you can file bankruptcy, you need to do some things to get ready. This checklist tells you how to get ready. Things you should do before starting on your forms include:

- ✓ Read "Notice to Consumer Debtors"
- ✓ Request Your Credit Reports
- ✓ Find Out What You Owe on Your Debts
- ✓ Record a Declaration of Homestead
- ✓ File Your Income Tax Return for Current Year if Not Done Already
- ✓ Go to a Credit Counseling Appointment
- ✓ Gather Documents Required by "Materials for Trustee" Checklist



This handout talks about several forms. They are all included at the end of this handout. Let's get started!

1. Notice to Consumer Debtors



We will begin by reading a form called Notice to Consumer Debtors. It is a notice from the bankruptcy court to tell you about important information.

- The notice suggests that you use a bankruptcy attorney if you can. It says that you must attend a credit counseling session before filing your bankruptcy. This appointment is usually with **Rural Dynamics, Inc.** We will talk more about this appointment later.

Filing Chapter 7 Bankruptcy – Where to Start

- The notice says that after you have filed your bankruptcy, you must complete a financial management course. Your bankruptcy will not be discharged until you attend this class. Discharged means final.
- The notice goes through the different types of bankruptcies a person or business may file. This “Getting Ready to File” checklist is only for a person filing a Chapter 7 bankruptcy.
- Finally, this notice says that you must fill out your bankruptcy paperwork truthfully and completely. You should not try to hide any property or tell the bankruptcy court anything that you know is not true. If you do, this may be a bankruptcy crime. You can be fined or imprisoned. Making an honest mistake is not a bankruptcy crime though. You just have to do your best to answer all the questions on your forms.

Please take a moment to read the whole notice. When you are finished, please go to the next section below.

2. Credit Reports

To fill out your bankruptcy paperwork, you will need to ask for copies of your credit reports. You will need to ask three different credit bureaus. They are:



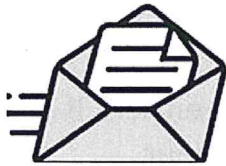
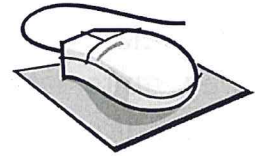
- Equifax
- Experian
- Transunion

You can ask for free copies of your credit reports online. **The only truly free credit report website is: www.annualcreditreport.com.** All other websites say they are free. They are NOT FREE. They will later charge your credit card for monthly fees.

Filing Chapter 7 Bankruptcy – Where to Start

Getting your credit reports may take a little while, so ask for them now. Be sure to ask for copies of all three credit reports. They often have information that is different.

If you can get onto the Internet, take a moment to ask for your credit reports right now. If you cannot get online right now, plan to go somewhere that has free Internet access. You can get online for free at most public libraries. Ask for copies of your credit reports as soon as possible.

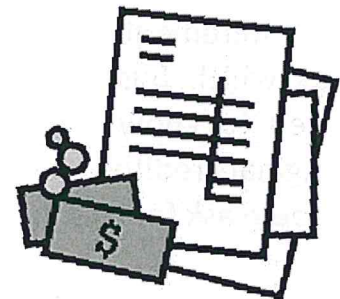


You can also **request your credit report in writing** through the mail. If you have moved over the past few years, you may not be able to get your credit report online. The credit bureaus use your address to make sure you are who you say you are. If your address has changed a lot, they may not be able to make sure it is you. This often happens with Transunion. You will have to ask for your credit report in writing. There is a form for you to use at the end of this handout.

When you are done asking for copies of your credit reports, or if you have to ask for them later, please go to the next section.

3. What You Owe Now on Debts

You will need to know what you owe now on all your debts. The amount you owe should be listed on the last statement from the creditor or debt collector. If you do not have a statement, you should contact the creditor or debt collector. Ask for a statement in writing with your most recent balance.



Filing Chapter 7 Bankruptcy – Where to Start



If you owe a court judgment or fines, you should call the court to get the current balance. If you owe child support or alimony, you will want to get copies of the most recent court order and most recent statement from any child support collection agency.

You might be able to look at your credit reports for this information. But, the amounts listed on credit reports are not always up to date. The best way to get this information is to ask the creditor directly. You may also owe debts that are not on your credit report. Some creditors do not report to credit bureaus. For example, many doctors, landlords, and utility companies do not show up on credit reports. Court fines may not show up.



Private people like landlords generally do not report to credit bureaus either. If you know you owe money to a business or a person, you will list it on your bankruptcy. List it even if it is not on your credit report.

You should also check with your local Justice Court, Municipal Court, and District Court. See if there are any court judgments or outstanding fines you don't know about. If you give your name, they can run a search for you.

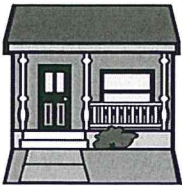
You may have debts that have gone to collection but you don't know what you owe now. You can call the creditor and ask. Or you can write a letter and **ask for a statement**. A letter you can use is at the end of this handout.



The statement should say how much you owe. It should say which business turned it over to collections. You need to know this because you have to list both the original creditor *and* any debt collectors that later tried to collect the debt. You should ask for this information in writing.

When you know what you owe on all your debts, please go to the next section.

Declaration of Homestead



If you own your home, you need to fill out a document called a **Declaration of Homestead**. This document protects the **equity** in your home. Equity is how much money you would get if you sold your home, after paying off any loans on it. Your home can be a regular house, a mobile home, or a fifth wheel. You just have to live in the home and own it.

You will need the legal description for your home. This is on your deed or title. Find your legal description. Write it on the Declaration of Homestead. Finish filling out the rest of the form. Do not sign it yet.

You must sign the Declaration of Homestead in front of a notary public. Most banks have a notary you can use. If you are married, both spouses must sign the form in front of a notary. It doesn't matter if only one spouse's name is on the property. You should both sign the form.

After the form is signed in front of a notary, take it to the Clerk and Recorder's Office in your county. Have them record it. Bring two extra copies to have them stamped by the clerk. Keep one copy for your records and one copy to give to the Trustee.

When you are done, please go to the next section.

4. Income Taxes



If you have to file an income tax return this year, you have to do that before you can file bankruptcy. If you haven't filed your tax return, you will need to do it as soon as possible. You will not be able to file bankruptcy until this is done.

Filing Chapter 7 Bankruptcy – Where to Start

You can probably file your taxes for free. Free tax filing information is listed on MontanaFreeFile.org.

These services will help you get your tax refund as soon as possible. They are free. They will not take part of your tax return like a refund anticipation loan does. You will get your entire tax return. Start working on filing your taxes now so your tax return will not hold up your bankruptcy later. If you have already filed your income taxes this year, the Chapter 7 Trustee will take a portion of them, dependent on when you filed for bankruptcy.

5. Credit Counseling Appointment

You must attend a credit counseling appointment before you can file bankruptcy. Generally the appointment will be through Rural Dynamics, Inc. (RDI). However, you may choose to complete any bankruptcy counseling program as long as you receive a Bankruptcy Counseling Certificate. The appointment is normally two hours long. You can do it in person or over the phone. **Call RDI toll-free at 1-877-275-2227**



You can also complete the counseling requirement online.

Schedule your appointment now. If you have Internet, plan a time to complete the online course.

Important - Your counseling certificate is only good for 180 days! Do you think you will have your bankruptcy filed within 180 days? If it will take you longer, wait to do your counseling. When you are done arranging this appointment, or if you are waiting, please go to the next section below.

6. Materials for Trustee



The next form we are going to talk about is called **Materials for Trustees**. This form is provided at the end of this handout. This form is a checklist of documents you will have to give to a Bankruptcy Trustee after you file bankruptcy. However, you will need all these documents to fill out your Official Bankruptcy Forms. Go through the form now and start gathering the required documents.

Some documents may not apply to you. For example, you may not file income tax returns. You may not own real estate. If an item does not apply to you, write “N/A” in the blank. Do not leave any blank lines.

If a document does apply to you, you must get a copy of it. Many documents must be gathered. It may take some time to get them all together, especially if you have to get them from someone else. Start getting the documents now. That way you will not have to wait for them later and hold up your bankruptcy.

Documents you need include:

- 1) Copies of your **state and federal income tax returns** for the past two years.
- 2) Any **documents for real property** that you own. This includes a house or land. You will need to get copies of all of the documents listed under number two, if they are applicable to your property. If you do not have these documents, check with your lender or the county clerk and recorder’s office.
- 3) Any documents for **personal property that is collateral for a loan**. For example, a vehicle that you purchased with a car loan. This includes personal property you currently own. It also includes any personal property that you sold or had repossessed within the past four years. This also includes any property you plan to sign back over to the lender after filing bankruptcy. If you do not have copies of the documents requested, check with your lender.

Filing Chapter 7 Bankruptcy – Where to Start

- 4) Copies of **vehicle titles and registrations**. This includes any motorized vehicles and trailers.
- 5) **Documents for a mobile home**. If you do not have copies of these documents, check with your lender.
- 6) Proof of any **life insurance** you may have.
- 7) Documents for any **retirement or pension plans** you may have.
- 8) Documents for any **insurance policies** you have for property you own. This includes casualty insurance such as a homeowner's policy. It also includes liability insurance, such as car insurance. Specifically, you must get a copy of a form called the declarations page. This is the page that lists the dollar amounts of coverage you have for each policy. If you do not have this information, you will need to request it from your insurance company.
- 9) Copies of the past three months' **statements for any financial accounts** you have. This includes any bank accounts or investment accounts. You will need the most recent statements for up to three months before you actually file your bankruptcy. If you do not think you will file your bankruptcy right away, you should wait to get copies of your account statements until you are ready to file.
- 10) Copies of any **stocks or bonds** you own.
- 11) Copies of certain **business documents** if you have operated any kind of business within the past six years.
- 12) A copy of any **divorce decree or marital property settlement** within the past two years.
- 13) Copies of **loan applications** you have turned in during the past two years. You only need copies of loan applications for loans that are still open at the time you file bankruptcy. Also, this does not apply to credit cards or credit card applications.

As you can see, a lot of documents must be gathered! Use the checklist on the Materials for Trustee form to start getting these documents together.

Filing Chapter 7 Bankruptcy – Where to Start

Get copies of all these documents and set them aside in a safe place. You will use these documents to fill out your Official Bankruptcy Forms.

This is the end of “Filing Chapter 7 Bankruptcy – Where to Start.”

REVIEW: Have you completed the following steps?

- Read **Notice to Consumer Debtors**
- Asked for credit reports
- Gathered most current amounts you owe on all debts
- Signed and recorded **Declaration of Homestead** (if you own your home)
- Filed federal and state income tax returns for this year (if you file income tax returns)
- Attended credit counseling appointment and received Bankruptcy Certificate
- Gathered materials required by Materials for Trustees checklist

Once you have completed these steps, you are ready to start filling out your Chapter 7 Official Bankruptcy Forms, available here.

If you qualify for help through Montana Legal Services Association, you can request a **Chapter 7 Toolkit**. The toolkit has all the forms you need to file Chapter 7 Bankruptcy. It tells you how to fill out each form.

To Apply for MLSA Services and Request a Chapter 7 Toolkit:

Call MLSA at 1 (866) 686-4574 or 1 (800) 666-6899.

Apply for MLSA services online.

Go to an MLSA office to fill out an application. (See next page)

Filing Chapter 7 Bankruptcy – Where to Start

MLSA LOCATIONS:

Office Hours: MLSA office hours vary, depending on location. Offices are generally open to the public on Monday through Thursday from 9:00-12:00 and 1:00-4:00.

And remember, you can call the HelpLine during the hours the HelpLine is open. Visit the [MLSA Legal HelpLine](#) page to learn more about the HelpLine.

Helena – Main Administrative Office

616 Helena Avenue, Suite 100
Helena, MT 59601
(406) 442-9830

Billings

207 N Broadway, Suite 430
Billings, MT 59101
(406) 248-7113

Missoula

211 North Higgins Avenue, Suite 401
Missoula, MT 59802
(406) 543-8343

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
	\$75	administrative fee
+	\$15	trustee surcharge
	\$335	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
+	\$550	administrative fee
	\$1,717	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
+	\$75	administrative fee
	\$275	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
+	\$75	administrative fee
	\$310	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/bkforms/bankruptcy_forms.html#procedure.

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://justice.gov/ust/eo/hapcpa/ccde/cc_approved.html.

In Alabama and North Carolina, go to:

<http://www.uscourts.gov/FederalCourts/Bankruptcy/BankruptcyResources/ApprovedCreditAndDebtCounselors.aspx>.

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

Return Document to:

Name

Mailing Address

City, State, Zip

Declaration of Homestead

_____ and _____
the undersigned, hereafter referred to as claimant(s), reside on and do hereby claim the following described property to be their homestead, which is exempt from attachment or forced sale pursuant to Title 70, Chapter 32; Montana Code Annotated.

The homestead property, claimed as exempt, is described as follows (legal description) (Note: A street address is not a legal description of the property nor is a deed reference. The full metes and bounds description; subdivision with lot number or certificate of survey number must be included in the description):

together with the dwelling house, or mobile home and improvements and appurtenances thereon.

IN WITNESS WHEREOF, I/we have set my/our hand(s) this _____ day of _____, _____.

(Signature of Claimant)

(Signature of Claimant)

State of Montana
County of _____

This instrument was signed before me on _____

by _____
Print name of signer(s)

Notary Signature

[Montana notaries must complete the following, if not part of stamp.]

Printed Name

Affix seal/stamp as close to
signature as possible.

Notary Public for the State of Montana
Residing at _____

My Commission expires: _____, 20_____

LETTER TO CREDITOR OR DEBT COLLECTOR

Date:

My Name & Address:

Name & Address of Creditor or Debt Collector

Account Number: _____

This letter is to inform you that I am filing bankruptcy. Please send a written statement of all accounts you are trying to collect from me. Please send it within 30 days. Please include the following:

- Current balance of each separate account including a breakdown of any amount originally turned over for collection, interest, and any other fees;
- Date any account was turned over for collection;
- The original creditor for each account if it is not you;
- Copies of any judgments you have obtained on any account

Pursuant to the Fair Debt Collection Practices Act, if you are a debt collector,

- I request that you stop contacting me regarding the bills you are attempting to collect from me.
- You may continue to contact me about the bills you are attempting to collect.

Sincerely,

Mont. LBF 33. MATERIALS REQUIRED TO BE DELIVERED TO TRUSTEES PRIOR TO § 341(a) MEETINGS OF CREDITORS.

[Mont. LBRs 2003-3; 4002-1(f) and 4003-2]

MATERIALS FOR TRUSTEES

Copies of the following documents and materials must be provided to the appropriate panel or standing trustees (and to the U.S. Trustee, if requested) at least fourteen (14) days prior to the first date scheduled for the § 341(a) meeting of creditors on each Debtor's case. If these materials are not provided, the trustee may continue the meeting of creditors until a later date, at which time the Debtor and Debtor's attorneys will be required to attend again in order to respond to inquiries related to such documents and materials; or, at the trustee's discretion, the trustee or U.S. Trustee may seek dismissal or conversion of a Debtor's case for failure to timely provide these documents and materials, or may seek an order compelling the debtor to provide such materials.

A copy of this Form must also be provided to the trustee, properly completed to reflect which documents and materials are being provided, and which are not being provided. An explanation is required for each document which is not provided indicating the reason for not providing the document (e.g., "n/a" if the item is not applicable to the debtor). Leave no blank items.

1. _____ **Tax Returns:** Copies of state and federal income tax returns (including all schedules) for the two years (or more, as requested by the trustee) prior to the bankruptcy filing; including returns for any corporation, partnership or other entity in which the debtor holds an interest

2. _____ **Documents for Real Property:** (Provide for each parcel; including those assets which the debtor transferred or surrendered within four years prior to filing bankruptcy, or which the debtor intends to transfer or surrender following the bankruptcy filing.)

Location of Property: _____

- _____ Trust Indenture, Contract for Deed or Mortgage
- _____ Proof of Perfection (e.g., proof of recording)
- _____ Notice of Purchaser's Interest (with proof of recording)
- _____ Homestead Declaration (with proof of recording)
- _____ Appraisal (or most recent year's county tax assessment statement)
- _____ Underlying Promissory Note
- _____ Underlying Deed
- _____ Copy of Survey (if applicable)
- _____ Loan Status (most recent month's loan statement)

_____ Complete Legal Description (if not a street address)

3. _____ **Documents for Personal Property:** (Provide for each item of personal property which is pledged as collateral to secure a debt; including those assets which the debtor transferred or surrendered within four years prior to filing bankruptcy, or which the debtor intends to transfer or surrender following the bankruptcy filing.)

Description of Property: _____

- _____ Underlying Promissory Note
_____ Security Agreement or Retail Installment Contract
_____ Proof of Perfection (e.g., UCC-1, with proof of filing)
_____ Loan Status (most recent month's loan statement)
_____ Proof of Fair Market Value (if possible)
_____ Appraisal (if any)

4. _____ **Vehicle and Other Titles or Registrations:** (Provide for each vehicle, trailer, ATV, motorcycle, RV, boat, personal watercraft, snowmobile, airplane, etc.)

- _____ Certificate of Title
_____ Registration
_____ Appraisal (or blue book valuation or other Internet valuation)
_____ Loan Status (most recent month's loan statement)

5. _____ **Mobile Homes:**

- _____ Underlying Promissory Note and Other Loan Documents
_____ Security Agreement
_____ Certificate of Title
_____ Homestead Declaration (with proof of recording)
_____ Loan Status (most recent month's loan statement)

6. _____ **Life Insurance:** Proof of all insurance, and any cash value or loan documents

7. _____ **IRA or Pension Plans:** Most recent monthly or quarterly statements reflecting account balances; and copy of 401(k) or other plan, if applicable

8. _____ **Insurance Policies:** Copy of the declarations page for each policy (or copy of annual statement provided by the insurance company), proving that liability and/or general casualty insurance exists for the debtor's assets, and setting forth the declared values of assets and any loan amounts

9. _____ **Banking Information:** Copies of all bank, credit union, or other financial institution checking, savings, money market, mutual fund, brokerage and other depository and investment account statements, reflecting all account balances as of the month the debtor's case was filed
10. _____ **Stocks, Bonds, or Other Money Instruments:** Copies of all stocks, bonds, or other instruments which represent or can be converted to money
11. _____ **Business Information:** (For any debtor who operated a business of any kind within the six year period preceding the filing of the case)
- _____ Complete Listing of Most Recent Inventory
 - _____ Listing of All Business Assets (if not contained in Schedules)
 - _____ Copy of Most Recent Balance Sheet
 - _____ Copy of Most Recent Profit and Loss Statement
 - _____ Copies of All Loan Applications Provided to Anyone Within the Prior Two Years
 - _____ Copies of All Loan Documents (including most recent month's statements)
 - _____ Copies of Last Two Year's State and Federal Income Tax Returns
 - _____ Copy of Most Recent Accounts Receivable (including name, address, and amount of each receivable)
12. _____ **Divorce:** If the debtor has been divorced within two years prior to the bankruptcy filing, provide copies of the divorce decree and any marital settlement agreement
13. _____ **Loan Applications:** Copies of all loan applications submitted to any bank, credit union, other financial institution, wholesale or retail merchant, or any other entity within the last two years, for all loans that were approved or outstanding at the time of the bankruptcy filing. [This does not involve credit card applications.]

Debtor(s) affirm and declare under penalty of perjury that the above-listed documents which are being provided to their case trustee are true and correct copies of the respective documents, and that they have not been changed or altered in any manner.

DATED this ____ day of _____, 20__.

Debtor

Debtor

[This form must be provided to the trustee, but need not be filed with the Court.]