

CHAPTER 13 BANKRUPTCY QUESTIONNAIRE

Massachusetts Laborers' Legal Services Fund

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This confidential questionnaire contains a list of questions and documents necessary to prepare a bankruptcy filing. This form is for our office use only – it is *NOT* submitted to the court. We will prepare a “bankruptcy petition” with the information you provide. The petition will be filed with the United States Bankruptcy Court only after you have reviewed it with an attorney and signed it.

DIRECTIONS:

- **ALL spaces MUST be filled in.** If an item does not apply to your situation, write “none” or “Ø” in that space.
- You must disclose all of your financial circumstances to the Bankruptcy Court. If you are unsure whether or not to include certain information or documentation, please provide it and we will determine if it is necessary – it usually is.

1. YOUR NAME:		Soc. Sec. No.	
Home address:			
(Street Number and Name)		(Apt#)	(City) (State and Zip Code)
How long at this address?			
Mailing address: (if different)			
(Street Number and Name)		(Apt#)	(City) (State and Zip Code)
E-mail:			
Age	Home No.	Cell No.	
If less than three (3) years at current address, list prior address(es) and dates of residence:			
Occupation		Employer	
Employer's Address			
How long have you worked for this employer? (# of months/years)			
Are you married? Yes / No (circle one)			

2. SPOUSE NAME:		Soc. Sec. No.	
Address (if different)		Date of Marriage	
Age	Tel. No.	E-mail address:	
Occupation	Employer		
Employer's Address			
How long have you worked for this employer? (# of months/years)			

3. Other than spouse listed above, please list all people living in your household:		
FULL NAME	Relation	Date of Birth

4. REAL ESTATE
<u>**Note: If you intend to keep your home, you must continue making mortgage payments and remain current</u>
<u>For any property you now own or have had ownership in the past 10 years (including timeshares), please complete the following:</u>
a-1) Address: _____
Purchase date and price: _____
Sale date and price: _____

a-2) Address: _____

Purchase date and price: _____

Sale date and price: _____

5. ASSETS / PERSONAL PROPERTY

Bankruptcy laws allow debtors to keep certain items of property if the value does not exceed legal limits— such property is considered “exempt”. Most people are able to keep all property.

- Please estimate the fair market value and give a brief description of the following items. Fair Market Value is the amount you would get if you sold the item(s) today, NOT the cost when they were purchased. ⚙ We will discuss valuation questions in more detail before finalizing your paperwork.
- If you do not own a particular item, write “None” or “Ø”
- Remember that most items are “used” and not worth nearly as much as when new.

ITEM	DESCRIPTION / VALUE
<i>(Example) Jewelry</i>	<i>(Example) diamond engagement ring: \$2,000.00; wedding bands: \$1,200.00</i>
<i>(Example) Clothing</i>	<i>(Example) personal and family clothing: \$500.00</i>
Cash on hand	
Bank Accounts	List each: Bank name / type of account/ approximate balance (you will have to update balances/ statements going forward): 1. 2. 3.
Clothing	
Jewelry	
Household Furnishings and appliances	
Electronics (TVs, computers, cell phones, etc.)	
Guns, sports equipment, etc.	
Security deposits	
Stocks, bonds, retirement <i>other than Union Pension & Annuity</i>	
Life Insurance policies	<i>Term or Whole life?</i> <i>Cash value, if any?</i>
Collections: art, stamps, etc.	
Animals (include all pets)	
Interests in trusts	
Tools and yard equipment	
Business interests	

Income tax refund – if you have not yet received refund(s) for last year, please state the amount that you expect to receive from both both federal \$_____ and state: \$_____

6. MOTOR VEHICLES (include motorcycles, boats, trailers and recreational vehicles):

IMPORTANT: If you are paying on a loan or lease for any vehicle(s) you MUST continue making regular payments if you intend to keep the vehicle(s). If your lender stops sending statements or terminates electronic withdrawals, you can continue to make payments and they will be accepted.

VEHICLE # 1

YEAR/MAKE/MODEL: _____

Trim level: (example: GL, GS, XL): _____

Condition: (good, avg, poor):	
4WD? Yes / No	# of doors: _____
Approximate mileage:	
Is there a loan or lease on the vehicle?	
If so, who is lender (or lessor)?	
How much is the monthly payment?	
Are you current on payments? YES / NO	
What is # of months and balance remaining on loan? /	
Important: Whose name is on the registration?	
Do you want to keep this vehicle? YES / NO	

VEHICLE # 2	
YEAR/MAKE/MODEL:	
Trim level: (example: GL, GS, XL):	
Condition: (good, avg, poor):	
4WD? Yes / No	# of doors: _____
Approximate mileage:	
Is there a loan or lease on the vehicle?	
If so, who is lender (or lessor)?	
How much is the monthly payment?	
Are you current on payments? YES / NO	
What is # of months and balance remaining on loan? /	
Important: Whose name is on the registration?	
Do you want to keep this vehicle? YES / NO	

RECREATIONAL VEHICLE/ TRAILER/ BOAT/MOTORCYCLE	
Year/Make/model:	
Purchase date and price:	
Condition: (good, avg, poor):	
Approximate mileage:	
Is there a loan on the vehicle ? YES / NO	
If so, who is lender?:	
Are you current on payments? YES / NO	
What is # of months and balance remaining on loan?	
Do you want to keep this vehicle? YES / NO	
► PLEASE GO TO NADA.COM AND OBTAIN A VALUATION PRINTOUT FOR YOUR BOAT/MOTORCYCLE, ETC.	

CONTINUE TO NEXT PAGE

7. MONTHLY EXPENSES—

- For mortgages, car payments, and other fixed expenses, use exact figures.
- For food and utilities, estimate average monthly expense.
- The Bankruptcy Court counts 4.3 weeks in a month → multiply “weekly” expenses by 4.3.
- We will review and discuss figures before filing with the court.

Mortgage <i>OR</i> Rent	\$	Transportation (gas, maintenance, repairs, public transportation – NOT car payments)	\$
2 nd mortgage or Equity line	\$	Recreation/entertainment (including newspapers, magazines, lottery, movies, etc.)	\$
Property Tax (if <u>not</u> included in mortgage)	\$	Charity and religious donations (if regular expense)	\$
Homeowner's/Tenant Insurance- if <u>not</u> included in mortgage/rent	\$	Life Insurance	\$
Maintenance and Repair	\$	Health Insurance	\$
Heat	\$	Vehicle insurance	\$
Electricity	\$	Other insurance (specify)	\$
Water/Sewer	\$	Taxes (that are not deducted from paychecks) (example: vehicle excise)	\$
Garbage collection	\$	Vehicle Loan / Lease Payment #1	\$
Home telephone	\$	Vehicle Loan / Lease Payment #2	\$
Cellular telephone(s)/internet/cable TV	\$	Other installment or lease payments	\$
Food/ household supplies	\$	Court-ordered Child support or alimony (not deducted from payroll)	\$
Child Care/day care and education	\$	Support for others that do NOT live with you	\$
Clothing	\$	Child activity expenses (field trips, sports, etc.)	\$
Laundry and Dry Cleaning	\$	Union book	\$
Personal care products & services	\$	Pet expenses (food, veterinary, grooming):	\$
Uninsured Medical (deductibles, copays, etc.)	\$	Other (describe):	\$
Uninsured Dental	\$		
		Total Monthly Expenses	\$

8. FINANCIAL AFFAIRS – All questions <u>must</u> be answered	YES or NO	If YES, please describe:
Have you ever filed for Bankruptcy before?	YES / NO	<i>If yes, when?</i>
<i>If you are court-ordered to pay child support, are you current on this obligation?</i>	YES / NO	<i>Weekly order: Arrearage amount, if any:</i>
Have any creditors put liens or attachments on your property?	YES / NO	
Does anyone owe you money?	YES / NO	<i>If yes, who and why?</i>
Is there anyone you might have the right to sue, such as for a personal injury?	YES / NO	
Have you received or do you expect inheritance in the past/ future 12 months?	YES / NO	

Are you the beneficiary of a trust?	YES / NO	
Have you made payments totaling more than \$600 to any one creditor within the past 90 days other than mortgage/rent or car payment? (Amount/name of creditor)	YES / NO	
Do you have a safe deposit box? (Bank name / contents)	YES / NO	
Have you made or received any gifts in excess of \$300 in the past twelve months? (Identify gift/value and donor)	YES / NO	
Are you currently being sued by anyone or do you owe a money judgment as a result of a lawsuit including any pending divorce proceedings (Who is suing you/name of court/docket number)	YES / NO	If yes, provide any related documents
Have you filed all past state and federal income tax returns?	YES / NO	
Do you owe any back taxes, whether federal or state income taxes, or town or city property taxes?	YES / NO	
Have you closed any bank accounts in the past 24 months? (bank name / date closed/\$ balance at closing)	YES / NO	
Have you suffered any loss due to gambling, fire or theft in past 12 months? (\$ amount, cause, date(s))	YES / NO	
Have you received any insurance settlements in the past year? (amount, date, source)	YES / NO	
Do you have expenses for the care and support of an elderly, chronically ill, or disabled member of your household or immediate family member who is unable to pay such expenses?	YES / NO	
Have you or your spouse ever been convicted of a felony? (Offense, date, name of court)	YES / NO	
Have you co-signed a loan for someone other than your current spouse? Who/when/\$ amount/name of lender?	YES / NO	<input type="checkbox"/> provide a copy of statement or related document
Have you transferred any personal property valued at over \$500.00 in the last 3 years.	YES / NO	
Have you had any property repossessed or foreclosed, or wages attached, garnished, seized, in the past 2 years? Describe:	YES / NO	
Have you had any losses from gambling in the past 3 years?	YES / NO	

9. CREDIT COUNSELING

Certificate of Completion. Before filing bankruptcy you must complete an approved credit counseling program using one of the Credit Counselors from the list below. This will take 1-2 hours and there is a small fee, typically \$10 - \$25 per person. (This does **NOT** have to be done before you schedule an office appointment or send in questionnaire and documents.)

- Upon completion you will receive a Certificate of Completion which must be provided to this office. Most providers will send the certificate directly to our office.
- (You will also have to take a second course called a Personal Financial Management Course after your case is filed with the court.)

List of approved Credit Counselors. Contact one and complete the course before a petition can be filed with the Court. Give them my attorney code and they will e-mail your certificate of completion directly to our office. You can choose any provider – the course is the same. Fees are subject to change.

COUNSELOR	My Atty. Code	COST -ONLINE 1 ST /2 ND Course	By Phone (fee is usually higher)
Pioneer (a/k/a Black Hills) (and.pioneerCredit.com)	1033	\$12/10	866-210-3590
Allen (ACDCS.com)	MR1114	\$20/\$20 (single or joint)	888-415-8173
Debt Helper.com	MA0511	\$24/\$14	800-920-2262 (\$50)
AccessCounseling.com	1A7241D	\$25/\$15	800-205-9297
ConsumerCredit.org	RILEY29	\$29/\$29	866-826-6924
PreBK.com	MR3939	\$14.95/\$7.95	(no phone)

10. DEBTS & LIABILITIES:

List ALL debts that you owe to anyone – EVEN IF YOU ARE CURRENT WITH THE PAYMENTS, including: mortgages, car loans, medical bills, personal loans (including family members), credit cards, income taxes, property taxes, past due utility bills, child support, student loans, and court judgments.

- Complete information is essential – if complete information concerning a debt is NOT provided, it CANNOT be discharged in Bankruptcy – you will still be legally responsible for paying it!
- Please note: the U.S. Bankruptcy Code requires that ALL debts must be listed – you cannot pick and choose which debts to include!

There are 3 ways to produce this information – most people utilize a combination of the three:

1. List ALL creditors below;
2. Obtain a free credit report (by contacting www.annualcreditreport.com or 1-800-888-4213; if you schedule an office appointment to bring in your paperwork we can usually help you obtain online; and/or
3. Send copies of recent bills and collection correspondence. Only one copy is needed for each debt - do NOT send multiple bills for same account (and once you have sent a bill, we do NOT need future updated bills from the same account unless specifically requested).



Don't forget to include : ☐ medical bills ☐ utility arrears ☐ collection agency letters ☐ court documents ☐ attorney correspondence ☐ payday loans ☐ repossessions ☐ debts that have dropped from your credit report

<u>Creditor Name, Address and Account Number</u>	<u>Type of Debt:</u> (Credit card, medical, etc.)	<u>Whose debt?:</u> <i>H: husband W: wife, HW: husband + wife)</i>	<u>Total Amount Due</u>	If this is a credit card or credit line, when did you last use it?
a)			\$	
b)			\$	
c)			\$	
d)			\$	
e)			\$	
f)				

Attach additional pages as needed.

DOCUMENTS: The following is a list of documents necessary to prepare a bankruptcy petition.

- Please send all documents at once rather than bits and pieces.
- Please send copies as we cannot be responsible to return original documents
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1. INCOME DOCUMENTS

<input type="checkbox"/>	<p><u>PAY & UNEMPLOYMENT STUBS:</u> Copies of pay and unemployment stubs (or a detailed printout) showing <u>each and every</u> week's income (and deductions) for the past <u>six (6) Months</u>. If you don't provide all, your case cannot proceed.</p> <ul style="list-style-type: none">• If married, you must provide this information for your spouse <u>even if spouse will NOT</u> be filing bankruptcy.• Also include evidence of income from all sources including wages, self-employment, unemployment compensation, workers' compensation, rental income, part-time employment, and lottery winnings, etc.• These must be updated until your bankruptcy petition is filed with the Court.• If you are missing pay stubs, contact each employer to request copies of stubs <u>or</u> a detailed printout. Note: bank statements, direct deposit receipts, W-2s, income tax returns do not provide necessary information.• If you're not receiving <u>unemployment</u> stubs, you can go online and get a printout or provide bank statements showing direct deposits. (Do NOT send DUA "Benefit Determination" form – it doesn't provide necessary information.)• If you receive rental income, provide a list of all rents received in the past 12 months.
<input type="checkbox"/>	<p><u>TAX RETURNS:</u> Copies of <u>FEDERAL</u> (not Mass.) income tax returns for the years listed below, <u>including</u> W-2 forms and 1099s.</p> <ul style="list-style-type: none">○ If you do not have copies of the returns, contact the <u>Internal Revenue Service</u> at (800) 829-1040 to request transcripts.○ If you have <u>not filed</u> any past federal or state tax returns, you <u>must</u> do so before your bankruptcy can be completed. <p><input type="checkbox"/> 2017 <input type="checkbox"/> 2016</p>

2. REAL ESTATE DOCUMENTS (Disregard this section if you do not own any real estate)

<input type="checkbox"/>	Most recent <u>Mortgage Statement</u> for all mortgages (1 st , 2 nd , Equity Lines)
<input type="checkbox"/>	Other <u>correspondence</u> received from the mortgage company with the last ninety (90) days.
<input type="checkbox"/>	<u>Deed</u> – copy of your deed as recorded with Registry Of Deeds
<input type="checkbox"/>	<u>Declaration of Homestead</u> – if you do <u>not</u> have one, you <u>must</u> file a homestead <u>before</u> filing bankruptcy. Please contact our office to arrange for preparation and recording.
<input type="checkbox"/>	<u>Real estate valuation:</u> Does NOT have to be a full (and expensive) appraisal. A broker's comparative market analysis (CMA) or price opinion (BPO) is perfectly acceptable. Brokers or agents will usually do this at no charge because they want the business if you do decide to sell in the future. You do <u>not</u> have to tell them it's for bankruptcy – you can say you're meeting with a financial planner, or preparing a will, or that you're <u>considering</u> selling.
<input type="checkbox"/>	Proof of <u>homeowners insurance:</u> binder or policy declaration page <u>showing dates of coverage</u>

3. ASSET DOCUMENTS

<input type="checkbox"/>	<u>Bank statements</u> for the last <u>two months</u> for all accounts including checking, savings, money market, CDs, etc. If you do not have these, you must contact your bank and request copies or printouts.
<input type="checkbox"/>	<u>Retirement Accounts</u> - copy of most recent statement from <u>non-union</u> accounts (and stocks, bonds, IRA's, pensions, educational plans) and statements from any life insurance policies (non-union)

4. OTHER:

<input type="checkbox"/>	Motor vehicle insurance: proof of coverage - binder or policy declaration page <u>showing dates of coverage</u>
<input type="checkbox"/>	Divorce documents (Judgment, Separation Agreement) if you've been divorce within the past two years.
<input type="checkbox"/>	Photocopies of Mass. <u>driver's license</u> (or other government-issued photo ID) and <u>Social Security card</u>
<input type="checkbox"/>	<u>FILING FEE. \$310.00</u> Bank check or money order payable to <u>Massachusetts Laborers' Legal Services Fund</u> (Personal checks cannot be accepted) (We do <u>not</u> need this to start the paperwork process – you can provide this any time before your case is filed in court.