

Carson Law Center, P.C. Bankruptcy Intake Form

Today's Date / /

Marital Status:

Please Write Clearly

Client Information
(LEGAL NAME, INCLUDING MIDDLE NAME)

Spouse Information (if filing together)
(LEGAL NAME, INCL MIDDLE NAME)

Name:

Name:

Address

Address

City, State, Zip

City, State, Zip

County:

County:

Date of Birth / /

Date of Birth / /

SSN - -

SSN - -

Home Phone () -

Home Phone () -

Work Phone () -

Work Phone () -

E-Mail

E-Mail

Employer

Employer

Occupation

Occupation

The following information will be used to make a preliminary determination of what chapter you will qualify for. However, if the numbers change from the time you fill out the worksheets we provide you to the time you hire Carson Law Center, P.C., we may have to file your case under a different chapter of the bankruptcy code.

How many people are in your household?

What is your average GROSS (before taxes) monthly household income?

Has the above monthly income changed over the last 6 months?

Have you had more than one employer in the last 6 months?

Have you lived in any other state other than the one you reside in now in the last two and a half years? Yes No

If yes, State(s)

From:

To:

What brought you to Carson Law Center, P.C.? KC Star I am a past client Friend referred me
 Internet Other (Describe Other)

- Have you sold anything to any relative or friend within the last 12 months? Yes No
- Have you given a mortgage or lien on anything to any relative or friend? Yes No
- Have you paid money on a debt to a relative or friend in the last one year, the total payments being in excess of \$1000.00 Yes No
- Have you given away anything worth more than \$500 to any other person within the last 12 months? Yes No
- Do you have a car or truck which you have never registered? Yes No
- Have you bought or refinanced real estate in the last twelve months? Yes No
- Have you bought a car, truck, or boat within the twelve months? Yes No
- Have you sold any motor vehicle or boat within the twelve months? Yes No
- Other than with your spouse, do you own any real estate jointly with any other person? In other words, is your name on a deed with someone else. Yes No
- Are you entitled to an inheritance, meaning someone has deceased and you will receive money or property from them? Yes No
- Do you think you will receive an inheritance within the next six months? Yes No
- Do you have a trust or are you a beneficiary of a trust? Yes No
- Do you currently have a lawsuit pending where you are suing someone? Yes No
- Could you file a lawsuit against someone else because they are legally required to pay you money damages for any reason? Yes No
- Have you been involved in a lawsuit, accident insurance claim, or settlement, or workman's compensation, or any other sort of claim where you received money in the twelve months, or will be receiving money? Yes No
- Are you or may you be entitled to a tax refund for any prior year? Yes No
- Have you filed bankruptcy before? Yes No
- Do you hold anything of value for another person? Yes No
- Have you been self employed or owned a business in the last two years? Yes No
- Does any other person hold anything of value which belongs to you? Yes No
- Have you received a settlement, retirement plan distribution or any lump sum in the last year? This includes tax refunds. Yes No

Please use the space provided to list your creditors: (use reverse side if additional space is needed)

Secured Creditors: (House, Car furniture, etc.)

Approximate Amount Owed:

Unsecured Creditors: (Credit cards, Payday Loans, Medical Bills, etc.)

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 or 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 case a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to 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 in to reaffirming your debts.

If you choose to file a chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, you may also want help with preparing your chapter 13 plan and with the confirmation hearing on your plan which will be before a bankruptcy judge.

If you select another type 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.

I acknowledge receipt of this document:

Debtor initials _____
Joint Debtor initials _____

IMPORTANT INFORMATION AND DISCLOSURES ABOUT BANKRUPTCY

- ◆ All information you are required to provide with your bankruptcy petition and thereafter during a case under this title is required to be complete, accurate, and truthful.
- ◆ All assets and all liabilities are required to be completely and accurately disclosed in the documents filed to commence the case, and the replacement value of each asset as defined in section 506 must be stated in those documents where requested and reasonable inquiry to establish such value.
- ◆ Current monthly income, the amounts specified in section 707(b)(2), and in 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.
- ◆ Information that you provide during your case may be audited pursuant to this title, and that failure to provide such information may result in dismissal of the case under this title of other sanction, including a criminal sanction.

How to determine your current monthly income

The debtor's "current monthly income is one-sixth of the last six months income the debtor received from all sources. Deductible actual expenses include reasonably necessary health and disability insurance as well as health savings accounts for the debtor and dependents of the debtor. Also deductible are expenses incurred to maintain safety from family violence under 309 of the Family Violence Prevention and Services Act. Deductions also are allowed for the cost of administering a chapter 13 case (up to 10 percent of projected plan payments), the actual expenses for the care and support of elderly, chronically ill, or disabled household members, and the actual elementary and secondary school expenses up to \$1,500 per dependent child under 18 years of age. Each of these figures comes directly from the debtor and the debtor's financial history."

Source: American Bankruptcy Institute

How to determine the value of your assets

The Court requires that your assets be assessed a value. This is known as the replacement value. Replacement value is defined as: The price a retail merchant would charge for property of that kind considering the age and condition of the property at the time value is determined. Real Estate should be valued at what the property would sell for on today's open market.

How to complete your list of creditors

You are required to provide a list of all of your creditors. You must list everybody that you owe money to as of the date your case is filed. You can obtain the amount you owe be either reviewing your last statement form the creditor, or contacting the creditor asking how much you owe them. The address you use for the creditor is very important. Bankruptcy code says that "if within 90 days before the commencement of a voluntary case (which means when your case is filed with the court) a creditor supplies the debtor in at least two communications sent to the debtor with the current account number of the debtor and the address at which such creditor requests to receive correspondence, that any notice required by this title to be sent by the debtor to such creditor shall be sent to such address and shall include such account number.

How to determine exempt property and value

Exempt property is property (your assets) that are protected by law from being taken by the bankruptcy court. For example, your 401(k) plan is considered exempt property. Your attorney will advise you of what property of yours is exempt and how much of that property is exempt (i.e. a 401(k) plan is generally completely exemptible). Exempt property is valued just like you value your other assets as described above.

I acknowledge receipt of this document: Debtor initials _____
Joint Debtor initials _____

CONSULTATION AGREEMENT AND ACKNOWLEDGEMENT OF RECEIPT OF
DISCLOSURES AND INSTURCTIONS

Prospective client has requested to opportunity to consult with and obtain information and advice from the Attorney about obtaining relief from debts, including relief from debts by filing bankruptcy under the United States Bankruptcy Code. This agreement is for purposes of that consultation only. If the prospective client retains the Attorney to file a bankruptcy, the parties shall execute a separate contract setting forth the fees and other terms of such representations. With respect to the consultation, the parties agree as follows:

- There is no fee for the initial consultation. Attorney reserves the right to limit the initial consultation to 20 minutes. Client and Attorney may agree to allow additional time, and a fee may apply.
- Attorney shall provide the client the following services:
 - Analyze the client’s financial circumstances based on information provided by the Client.
 - To the extent possible, based on the information provided by the Client, advise the Client of the Client’s bankruptcy options, inform the Client what information the Client needs to provide to enable the Attorney to provide such advice and information.
 - Advise the Client of the requirements placed upon the Client to file a chapter 7 or 13 bankruptcy.
 - Provide a “Preliminary Determination” of bankruptcy eligibility to client upon receipt of required information.
 - The Client acknowledges that the first date upon which the Attorney has first offered to provide any bankruptcy assistance service is this date, and that the Attorney provided the client with the Notice to Client Who Contemplates Filing Bankruptcy, statement mandated by 527(b) of the Bankruptcy Code, and the Instructions on Providing Information Required to File Bankruptcy, copies of which are attached to this Consultation Agreement.

Debtor

Date

Co-Debtor (if you filing with your spouse)

Date