

TO: ALL DEBTOR (S)

FROM: BANKRUPTCY TRUSTEE and/or
UNITED STATES TRUSTEE

RE: BANKRUPTCY QUESTIONNAIRE and
DOCUMENT REQUEST

Documents due to your Trustee no later than TEN days prior to your Meeting of Creditors.

The Meeting of Creditors date and time, as well as the Trustee's name and address is located on the Notice of Commencement of a Bankruptcy which was mailed to you from the Bankruptcy Court shortly after filing your case.

Case No. _____

Debtor _____

Co-Debtor _____

Attorney: _____

BANKRUPTCY QUESTIONNAIRE & DOCUMENT REQUEST

**(To be completed by each debtor and provided to your trustee along with required documents
no later than ten (10) days prior to the Meeting of Creditors)**

PART I – INTRODUCTION AND INSTRUCTIONS

REQUIREMENTS OF THE BANKRUPTCY LAW: (Bankruptcy Abuse Prevention and Consumer Protection Act of 2005):

The Bankruptcy Law has placed numerous requirements on the Debtors, their attorney, and the Bankruptcy Trustee. To meet these requirements, you must complete and return this Bankruptcy Questionnaire to your Trustee no later than ten (10) days prior to the First Meeting of Creditors. You MUST also attend the Meeting of Creditors. Failure to complete and return this Questionnaire and/or attend the Meeting of Creditors may result in the dismissal of your case.

The name & address of the Trustee, as well as the date & time of your meeting, are on the document entitled: “Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines” that you received from the Court.

IF YOU HAVE ANY QUESTIONS: or require further information, you should consult with your attorney or other legal sources, the Trustee cannot provide legal advice.

YOU HAVE A DUTY TO COOPERATE WITH YOUR TRUSTEE:

As part of your Bankruptcy, the Trustee must examine and investigate your financial affairs and related information. Under the law, it is your duty to fully cooperate with and assist the Trustee in this investigation. These are standard questions and documents that each debtor must answer and provide to the Trustee. You may receive further requests for additional documents from the Trustee. The Trustee will conduct further investigation as needed. You are obligated to provide this additional information as well.

YOUR ANSWERS MUST BE TRUE, COMPLETE AND ACCURATE:

It is important that all your answers to the questions are true, complete and accurate. If you have made any mistakes in your bankruptcy documents, it is absolutely essential that you inform your trustee by filing **amendments to the petition** correcting those mistakes immediately. Failure to do so may result in severe consequences. *It is a federal crime to intentionally give false or misleading information and testimony to the bankruptcy trustee.*

UPON THE FILING OF BANKRUPTCY, ALL OF YOUR PROPERTY BECOMES PROPERTY OF THE BANKRUPTCY ESTATE:

The bankruptcy estate holds legal title to all of your assets, whether listed or not, real property or personal property, tangible or intangible, separate and community, from the date of filing forward until administered or abandoned. Many of these assets may or may not be exempt from case administration. This issue will be addressed through the trustee’s administration of your case. Please note that in certain cases “exempt” property may be sold to satisfy certain taxes and/or domestic support obligations.

Please also be advised that if you are entitled to a refund, (from any source including but not limited to the IRS, the state, etc), bonus stock options, litigation settlement, or are the recipient or have the right to be a recipient of an inheritance consisting of real or personal property, tangible or intangible assets, or should become entitled to any funds, rights, inheritances after the date of filing of your petition **you must inform your trustee in writing of such entitlement.** These assets may be property of the estate and therefore can only be legally administered by the estate. Failure to do so may be deemed **BANKRUPTCY FRAUD.**

If the trustee believes that there are non-exempt assets that can be sold for the benefit of your creditors, the trustee will file a report with the court designating the case as an “asset case”. An asset case will not be closed until all the assets are liquidated, final accounts filed and funds distributed. *Until your case is closed, you may not be able to sell, refinance, or further encumber any of your property – even if you have claimed it as exempt and even if you have already received your discharge.*

THE DISCHARGE.

If a debtor has satisfied all of their duties, and no objection to the discharge has been filed, the discharge will be issued by the Bankruptcy Court a few months after the Meeting of Creditors. (Please note the discharge deadline is on your Notice). **THE DISCHARGE WILL NOT BE ISSUED UNTIL THE CERTIFICATE OF COMPLETION OF THE FINANCIAL MANAGEMENT COURSE HAS BEEN FILED WITH THE COURT.** The Trustee may file a motion requesting an extension of time in which the Trustee and the U.S. Trustee may file an objection to the entry of discharge to allow you the additional time to complete your duties. In most cases the request will be for a 6 month extension with the provision that upon compliance by you, a declaration can be filed releasing the request and allowing the entry of your discharge.

PART II – STATEMENT OF BASIC FACTS

DEBTOR and/or CO - DEBTOR

My name is: _____

My name is: _____

My physical address is: _____

My physical address is: _____

My phone numbers are: _____

My phone numbers are: _____

(hm) _____

(hm) _____

(wk) _____

(wk) _____

(cell) _____

(cell) _____

email _____

email _____

Marital status is: _____

Marital status is: _____

(Please specify, Single, Married, Divorced, Widowed)

(Please specify, Single, Married, Divorced, Widowed)

No. of dependents claimed on last Tax Return: _____

No. of dependents claimed on last Tax Return: _____

Filing status on tax return _____

Filing status on tax return _____

How many dependents live with you now? _____

How many dependents live with you now? _____

The number of people living at your address: _____

The number of people living at your address: _____

PART III - STANDARD QUESTIONS

(This section must be answered by both the Debtor and the Co-Debtor, where applicable. If an answer to a question requires further explanation, attach a separate sheet of paper and supporting documentation)

		<u>Debtor</u>		<u>Co-Debtor</u>	
		Circle response			
1.	Did you personally review and then sign the Petition, Schedules and other Documents Filed with the court?	Yes	No		Yes No
2.	Is the information contained in your documents true, complete and accurate?	Yes	No		Yes No
3.	Have you listed everything you own in these schedules?	Yes	No		Yes No
4.	Have you lived in Nevada continuously for the last 3½ years? If not, please list all your addresses during the last 3½ years on a separate sheet of paper and attach to this Questionnaire.	Yes	No		Yes No
5.	Do you have any ownership interest (present, future, contingent or disputed) in any real property, personal property, corporation, partnership, business venture, stock options, investment plans, or life insurance policies that are not listed in your Schedules?	Yes	No		Yes No
6.	Have you ever filed bankruptcy before? If yes when? _____	Yes	No		Yes No
7.	Have you transferred, sold or given away any thing to anyone during the last 12 months?	Yes	No		Yes No
8.	Have you owned, sold or transferred any real estate during the last four (4) years?	Yes	No		Yes No
9.	Does anyone owe you any money for any reason?	Yes	No		Yes No
10.	Do you have any claim against anyone that is not listed in your Schedules?	Yes	No		Yes No
11.	Have you filed or do you have a reason to file any lawsuit against any one for any reason?	Yes	No		Yes No
12.	Are you a beneficiary of any will, trust or estate?	Yes	No		Yes No
13.	Are you entitled to any life insurance proceeds or an inheritance as a result of someone's death?	Yes	No		Yes No

- | | | | | | | |
|-----|--|-----|----|--|-----|----|
| 14. | Has there been a change in your financial situation since the filing of the bankruptcy? | Yes | No | | Yes | No |
| 15. | Did you make any payments totaling over \$600, to any unsecured creditor, during the last 90 DAYS PRIOR to filing Bankruptcy? | Yes | No | | Yes | No |
| 16. | Did you rearrange your financial affairs in any way in preparation for filing this bankruptcy? | Yes | No | | Yes | No |
| 17. | Have you transferred any credit card balances from one to another during the last six months? | Yes | No | | Yes | No |
| 18. | Is anyone holding or storing anything on your behalf? | Yes | No | | Yes | No |
| 19. | Do you have any safe-deposit boxes or a self-storage unit?
(If yes, please provide its location and list of its contents) | Yes | No | | Yes | No |
| 20. | Have you repaid any loans to any friends and/or relatives during the past 12 months? | Yes | No | | Yes | No |
| 21. | If you own your home, when did you purchase it? What was the Purchase Price? _____ | Yes | No | | Yes | No |
| 22. | Are you currently participating in any type of educational savings plans, sending your child to a private school and/or paying extra educational expenses? | Yes | No | | Yes | No |

PART IV – DOCUMENTS TO BE SUBMITTED WITH THIS QUESTIONNAIRE

THE FOLLOWING DOCUMENTS MUST BE SUBMITTED TO THE TRUSTEE ALONG WITH THIS QUESTIONNAIRE UNLESS PREVIOUSLY FILED WITH THE COURT WITH YOUR BANKRUPTCY PAPERS:

COPIES ---MUST BE MAILED TO THE TRUSTEE 10 DAYS PRIOR TO THE MEETING OF CREDITORS.

The Trustee will not make copies for you or return the documentation provided.

Do not sent documents by certified or registered mail- do not fax documents

1. **Copy of the complete tax return (s)(incl. schedules) for the prior two (2) years ending immediately preceding the bankruptcy filing.** Must be provided to the trustee's office at least 10 days prior to the Meeting of Creditors.
 - a. For bankruptcies filed between January 1st and April 15th where preparation of the tax return is still pending on the date of the Meeting of Creditors, the return must be delivered to the trustee's office within 10 days after the return is prepared, but no later than April 15th. The copy must be delivered in person or by mail.
2. **Statements on all financial accounts:** (for the prior 4 months and thru the date the petition was filed)
 - a. checking accounts, savings accounts, money market accounts, IRA's, ROTH IRA's, Educational IRA's, pensions, brokerage accounts, mutual funds, life insurance, etc., that you own or that you co-sign on with anyone else. Copies of checks over \$600.00 or a check register may be provided. This also includes copies of **Notes receivable, Accounts receivable & stock certificates,**
3. **Evidence of current income:** (the most recent 3 months: pay stubs, dividends, income and expense). Documentation for any and all sources of income, (i.e. Soc. Sec. Dividends, annuities, etc)
4. **Picture I.D. establishing identity: MUST BE BROUGHT TO THE MEETING OF CREDITORS**
 - a. (i.e.- driver's license or a passport, work card, health card, or military I.D.)
5. **Social Security Verification: MUST BE BROUGHT TO THE MEETING OF CREDITORS**
 - a. in the form of a document establishing the Social Security Number such as a Social Security Card, W-2 or Military I.D.
6. **Copy of the Credit Counseling Certificate: MUST BE BROUGHT TO THE MEETING OF CREDITORS**
 - a. Required prior to filing the bankruptcy.
7. **Copy of the Financial Management Certificate.**
 - a. Required to obtain the discharge. Mail to the Trustee when completed.
8. **Copy of the property settlement agreement** from any divorce obtained within 4 years of filing for bankruptcy.
9. **If you are filing bankruptcy without your spouse,** on a separate sheet, list the date married, assets which are held in the spouse's name or both names which are not already listed on the Schedules.
10. **If Renting, copy of rental agreement with the landlord.**

11. **OBLIGATION FOR CHILD SUPPORT/ALIMONY** If you have any obligation for **Child Support/Alimony** payments please provide: **PLEASE MARK N/A if Not Applicable** and initial.

(a) the name, the last-known address and telephone number of the adult receiving or supposed to be receiving such payments, and

(b) documentation to support these obligation such as Marital Settlement Agreement, Separation or Divorce Agreement or a Court Order. If you are unable to provide this information or the documents please attach a written explanation. If you have such an obligation to more than one party, please attach a separate sheet of paper showing the following information for additional parties.

Ø	NAME:	Ø	NAME:
Ø	TELEPHONE NO. _____	Ø	TELEPHONE NO. _____
Ø	ADDRESS:	Ø	ADDRESS:
Ø	City, State Zip:	Ø	CITY, STATE ZIP:

12. **Self Employment Income:** If you have an interest in or own a closely held corporation or business interest, **please contact your Trustee immediately** to discuss the matter. As the owner, employer, stockholder, partner, etc. who derives compensation /income, OR is entitled to derive compensation, in any form from the business interest, please provide the following.

- (a) Nature and type of the business interest.
- (b) Your interest in the business (i.e. owner, stockholder, partner, investor)
- (c) Location of the business.
- (d) Equipment and inventory evaluation listings
- (e) Copies of bank accounts for 3 months prior to the filing.
- (f) If not reported on 1040 Schedule C, a copy of the corporate tax return as for the preceding and current year.
- (g) Profit and Loss statement indicating your income and/or loss for the filing year duly certified by you or an officer representing the business. A copy of the Regulation P or Privacy Statement, if one has been prepared.
- (h) If you have employees a copy of the Benefit PLAN DOCUMENTS, if any,.

Given the nature of the business and your participation in the business additional documentation may be requested.

List of ALL documents BEING SUBMITTED WITH this questionnaire to the Trustee: (used separate sheet if needed)

1. _____	6. _____
2. _____	7. _____
3. _____	8. _____
4. _____	9. _____
5. _____	10. _____

PART V – DECLARATION UNDER PENALTY OF PERJURY

I DECLARE UNDER PENALTY OF PERJURY THAT I HAVE PERSONALLY READ THIS QUESTIONNAIRE AND TRUTHFULLY ANSWERED ALL THE QUESTIONS. I FURTHER DECLARE THAT THE INFORMATION AND DOCUMENTS PROVIDED WITH THIS QUESTIONNAIRE ARE ALSO TRUE, COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF.

DATE _____ DEBTOR _____

DATE _____ CO-DEBTOR _____