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Dear Panel Trustee In Re: Case no.
Client name:

## These documents must be provided to the Trustee weeks prior to the hearing and to the attorney prior to filing. Audits require items 1-4

**SEND COPIES ONLY! DO NOT SEND ORIGINALS! DOCUMENTS WILL BE DESTROYED AND WILL NOT BE RETURNED!**

1. **Bank Statements <u>We will need copies of the last six months of bank statements.</u> You will also have to send in the Bank Statement for the month you filed in the Eastern Kentucky District. But you won't get that statement until a month after you file. Take special attention to the last statement to make sure that you have a low balance on the date of filing. Large balances mean you use up exemptions to keep funds. If you have a large balance on the date of filing you may lose funds so you may want to spend down your account. Joint accounts with relatives are also a problem. If you operate a business we will need personal and business records. *The US Trustee often requires cancelled checks if they audit your filing. Do not send originals!***

2. **You can't file unless you filed taxes for the last 2 years. The last 2 Years of tax transcripts or returns as documentation are needed and the case will not be filed without it. You can call the <u>IRS at 1-800-829-1040 to get a transcript which is free</u> do not press any buttons and let the operator answer. *The US Trustee often requires tax returns.* SEND COPIES ONLY! DOCUMENTS WILL BE DESTROYED AND WILL NOT BE RETURNED!**

3. **Proof of Income. This is household income. Even if your spouse is not filing you must include their income! There are two parts of the statute the first requires the proof of income for the last 60 days the second requires last 6 months. These periods overlap. <u>To calculate the means test we can take the last paystub for the month *prior to filing* and the paystub for 6 months prior to that if they have year to date information for gross income and deductions</u>. For the self employed you may use the business income calculation from our website. Proof can be a letter from work. We need to know of <u>*any anticipated increases.*</u> If you have social security use your social security letter or other methods to prove income. Your case will not be filed without proof of income. The Trustee may also look at the last years income as an average. SEND COPIES ONLY! DOCUMENTS WILL BE DESTROYED AND WILL NOT BE RETURNED!**

4. **Domestic Support Obligations (Child Support and Alimony income or expense). We must have the address of the person you pay to. Please provide a copy of any alimony or child support obligation. You must list it as income or an expense in your income and expenses. If you have been divorced within the last 4 years we need a copy of your marriage settlement agreement and mandatory case disclosure. SEND COPIES ONLY! DOCUMENTS WILL BE DESTROYED AND WILL NOT BE RETURNED!**

5. **Deeds, Mortgages and PVA value for any property in your name. Deed and Mortgage must showing date filed book and page number. We need a copy proving that it was filed showing deed book and page number. <u>DO NOT USE YOUR COPY FROM CLOSING!</u> To prove value you may use property tax valuations. <u>*If you have a claim or lawsuit against the lender we may need the closing documentation.*</u> SEND COPIES ONLY! DOCUMENTS WILL BE DESTROYED AND WILL NOT BE RETURNED!**

6. **We need your Car, Boat, Motorcycle, Campers, ATVs and Trailer Titles and valuations. <u>Liens must be properly filed.</u> We use trade in kbb Kelly Blue Book Value or tax valuations. Do not send the small blue registration we need Titles and again send us only copies. Your documents will be destroyed and will not be returned.**

7. **Credit Counseling Certificate and Debtor Education Certificates. We use www.financiallit.org 866-662-4932 Institute for Financial Literacy. To save money you may use www.nationalpersonalfinance.com for your second class. NPA com only costs 15.00 while most others will cost you 50.00 or more. Your case will not be filed without your credit counseling certificate. You must file your bankruptcy within 6 months <u>*after*</u> your counseling. You are required to take a second Counseling session *within 45 days after filing your case. If you fail to file the second certification your case will be closed without the discharge.* <u>You must file the second course certificate or you will have to pay the filing fee to reopen the case and an additional attorney fee to get this filed.</u> Email your certificates to: <u>Bankruptcy@Bankruptcy-Divorce.com</u>**

8. **A complete list of your Debts including:**
   a. **Name of the Creditor**
   b. **Address, amount and account number.**
   c. **List whether the debt is his hers or joint**
   d. **Purpose of the debt and**
   e. **Type of debt secured, unsecured or priority (taxes student loan). Secured debts are deductions from income in the means test to qualify you for a Chapter 7 do not fail to list a debt.**
   f. **If you can, provide a bill for each debt to insure the correct information**

   **You can get a free copy of your credit report at <u>www.annualcreditreport.com</u> or** Call toll free: **<u>1–877–322–8228</u>** to obtain a free copy. If you want to pay a service for this you may want to use <u>www.BestCreditreports.com</u> <u>www.CreditExpert.com</u> or <u>www.FreeCreditReport.com</u>

9. **If you have any of the following we will need copies of these also**
   a. **<u>If your expenses are higher than the normal amounts you must provide proof for instance high medical expenses must be documented!</u>**
   b. Copies of any stocks bonds and disclosures of any safe deposit boxes.
   c. Copies of any life insurance or burial insurance policies
   d. Copies of any loan security agreements, loan disclosure statements or loan documentation.

10. **Please finish by completing the online bankruptcy information on our website if you are using us as your attorney. <u>Remember you must completely and accurately answer every question. Do not skip a question if it should be answered. YOU WILL BE AUDITED</u>**

**<u>BY CPA'S TO INSURE THAT YOUR ANSWERS ARE ACCURATE. Your case may be dismissed if you fail to completely and accurately answer the questions. Common errors are</u>**

a) **Incorrect Marital status or number or people in the household**
b) **Former repossessions foreclosures lawsuits not listed**
c) **Forgotten comakers**
d) **Prior addresses or names left out for last 3 years**
e) **Sales, Gifts or transfers of property to others within last 3 years**
f) **When inputting paystub information include all deductions.**
g) **DO NOT COME TO FEDERAL COURT IMPROPERLY DRESSED and please bring photo id and proof of your social security number.**

11. **90% of all credit reports contain errors, 45% contain errors serious enough to deny you credit. Look at our section on credit repair with Lexington Law to repair your credit. If you don't remove the negative items you may not be able to buy a home or car after filing bankruptcy at a reasonable interest rate.**

12. **We need the current amounts owed by your home mortgage car note this is your current monthly statement. Any expenses that are unusually high must also be documented. Let us know about car loans that are less than 910 days old.**

13. **Copies of any State Tuition programs or Educational retirement programs.** Please find the documents enclosed filed under Contract Disclosures if any.

14. **Remember that in filing out the information on income that you will need the income for both you and your spouse. Income means Household income even if you are the only one filing.**

**STOP YOU ARE DONE ! Make an appointment, come in and finish the Bankruptcy**

Office Checklist of information and Binder Document Checklist

**<u>TABS</u>**

| | |
|---|---|
| Tax Returns | Income Means Domestic |
| Bank Statements | Credit Counseling Cert due with filing |
| Deed Mortgage PVA | Asset Check Value |
| Car Boat Titles KBB | Lawsuit Accounts |
| ID Pacer | Contract Disclosures |

Common Chapter 13 Errors

1. Your **first payment for a Chapter13 plan** is due when the <u>PETITION</u> is filed.
3. There is a new plan form for the Eastern District. You must calculate and insert in the plan the **monthly payment that you propose to pay secured creditors** (including arrearage claims).
4. You do not need to pay **pre-confirmation adequate protection payments** on real estate. Section 1326 applies to purchase money security interests in personal property.
5. **Form 23** (the Certification of Completion of Instructional Course in Personal Financial Management) is required as a condition to getting a discharge.
6. If a 13 Certification of the Plan must be filed also.

Common Chapter 7 Errors

1. Intent ( reaffirmations and redemptions) must be performed within 45 day for secured debts and Counseling completed.

An exact copy of the 2008 court order currently being sent and the documents they want in the Western District is below the common ones almost always provided are in bold:

# Order For Debtor to Submit Documents

The above−named debtor shall within **10 days** from the date of this order submit to the trustee, whose name and address appear above, along with a copy of this Order, **only photocopies** of the following documents:

1. **All personal and business books, records of account, bank books, bank statements and cancelled checks for the 6 months preceding bankruptcy** (the last bank statement must show the amount on deposit on the date of bankruptcy);
2. **All contracts or title papers pertaining to any property in which the debtor has an interest**, **including any deed** or contract under which the debtor holds title to or any interest in real estate, **all recorded mortgages**, tax assessments, liens, or encumbrances upon said property, including the amount owed on date of filing. These documents may be obtained from the Office of the Clerk for the county in which the real estate is located;
3. **Title papers to any motor vehicles, mobile homes, trailers or boats** (if original papers have been lost, duplicates must be obtained from the Office of the Clerk for the county in which the vehicles are registered);
4. Certificates of stock, bonds and a disclosure of any safe deposit boxes and list of contents;
5. Contracts of life or burial insurance;
6. **The debtor's most recent state and federal income tax returns**, including copies of all 1099 and W−2 forms;
7. **Payment advices** (**wage statements**) received within 60 days before filing from any employer;
8. All notes, security agreements, loan disclosure statements and other documents relating to loan transactions to which the debtor is a party.