

BANKRUPTCY PROFESSIONAL CENTER, James O. Wyre II, Attorney at Law

Email: jameswyre@conwaycorp.net, website: www.bankruptcyjw.com

690 S. Salem, Ste. 301, Conway, AR 72034, 501-932-0383, Fax 501-932-0384

NAME: _____

CHAPTER: _____

RUSH: Y N WHY? _____

INSTRUCTIONS FOR BANKRUPTCY FORMS - PLEASE READ CAREFULLY!

YOUR CASE CANNOT BE FILED UNTIL THESE FORMS ARE RETURNED! IF THESE FORMS ARE NOT FILLED OUT ACCURATELY, IT WILL DELAY THE PREPARING AND/OR FILING OF YOUR BANKRUPTCY. ERRORS IN THE FORMS COULD RESULT IN ADDITIONAL CHARGES. **YOU MUST BE CURRENT ON CHILD SUPPORT TO DO CHAPTER 13, AND I NEED TO KNOW IF YOU HAVE ANY CHILD SUPPORT OR ALIMONY OBLIGATIONS.**

LIST OF CREDITORS: The list of creditors must include **ALL** your creditors, even ones you plan on keeping. **IT IS PERJURY IF YOU DO NOT LIST THEM ALL!** We will need an exact amount of the debt on cars, mortgages, etc. That means the actual current payoffs **minus interest!** Do not forget to list ex-spouse's or family members' debts you have cosigned (even if someone else is making the payments), items sold or bought on contract, items sold to someone that took over the payments, etc. If you have questions, **PLEASE ASK!**

STATEMENT OF FINANCIAL AFFAIRS: The Statement of Financial Affairs are the exact questions the petition asks for, and they must be correct to complete the petition. **Number one asks you to list your current income for the calendar year to date. The last two years should be obtained from your tax returns.**

BUDGET: Please list all monthly expenses. Some people leave off tobacco, child care, monthly checking fees, pet expenses, etc. You must also list your monthly income. In a Chapter 7 case, your expenses **should** be equal or be more than your income. In a Chapter 13 case, your income **must** be more than your expenses. List **any names you have had in the last eight years**, or any names that are on your debts that are different from what you have listed before: _____

Have you filed a bankruptcy within the last eight years? Yes ___ No___. If yes, please list the chapter, where the case was filed, when, and the case number, if available _____
Previous business names used within the last 8 years, if any: _____

In the last year have you taken a large (over \$750) cash advance on a credit card or charged over \$1,000 on one card?
Yes ___ No ___
If yes, on which card(s) and how long ago? _____

DO NOT BANK AT A BANK WHERE YOU HAVE ANY DEBTS UNLESS YOU ARE CURRENT AND CAN STAY CURRENT ON THOSE DEBTS. IF YOU ARE FILING A CHAPTER 13, YOU MUST HAVE COURT APPROVAL TO FINANCE ANYTHING AFTER THE CASE IS FILED, I HELP YOU WITH THAT PROCESS.

HAVE YOU FILED ALL TAX RETURNS REQUIRED BY LAW? YES _____ NO _____
If your answer is No, please file them as soon as possible, especially if you have a chapter 13 case. Unfiled taxes can cause your case to be dismissed. If you fail to file tax returns in the future, especially if you have a business, or fail to pay postpetition taxes, your case may be dismissed if it is a Chapter 13.

Please explain your living arrangements (for example: living in frame home on own land, living in mobile home on parent's land, living in house provided by employer, etc.): _____

***ATTACH ANY CONTRACTS FOR THE SALE OR RENT OF ANY LAND YOU ARE SELLING OR RENTING OUT ***
***IF YOU ARE BUYING ANYTHING WITH A TITLE (MOBILE HOME, CAR, 4Whlr, etc.), I NEED TO HAVE A COPY OF THE TITLE THAT SHOWS THE LIEN OF THE FINANCE COMPANY-Even if you are surrendering it. Also I need any oil or gas lease info on mineral rights if you own any.**
***Also please attach your most recent County Assessments for real and personal property**

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REQUIRED DOCUMENT LIST FOR FILING

1. I MUST have the paycheck stubs or other proof of income like business profit/loss sheets or social security or unemployment records for you (and your spouse and any other income-generating person in your household, if any) for the 6 months ending the month before you file. Your employer could also print you up a sheet from their records. Bank statements for that 6 months are fine for business income or other income.

2. Bank statements for the 2 months ending the month before we file on your main bank account (if any). I have to have this to check expenses under the new code.

3. Any letters or legal papers from attorneys or law firms collecting debts against you, if you have them.

4. If you have had a business in the last 2 years, a list of all people who owe you any money for any reason incident to that business, even if you do not think you can collect it and even if you do not intend to sue.

5. A copy of any divorce decree that requires you to pay any child support, alimony, or that requires you to pay any portion of a debt that dated from the marriage. You should be aware that such obligations are not dischargeable as to your ex-spouse even if you can get rid of the obligation to repay the debt to the creditor itself.

6. Your two most recently filed Federal tax returns with W-2s or 1099s if your case is chapter 7. If your case is Chapter 13, I MUST have the most recent 4 years of tax transcripts FROM the IRS rather than your copies.

7. If your income is over \$40,000 per year(+\$8,500 for each extra member of the household), please get a detail of any high expenses you have for medical expenses and/or food expenses if you have special dietary needs. I need children's school expenses also.

8. If possible, a credit report if you are unsure of what debts you might owe or lack contact information on your debts. I cannot obtain this for you.

9. If you have a mobile home or a 4 wheeler or a car financed and you are filing a chapter 7, go to where you get your car tags and get a printout of proof that the finance company properly registered their lien with the State of Arkansas and your county.

Please bring these all at one time so that it is easier for me to organize. Thanks!

By the way, every time that this process frustrates you, pick up the phone and call and complain to both Arkansas senators! They voted to make you do this!

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VERY IMPORTANT, WHEN YOU DROP OFF THE FORMS, KEEP THIS SHEET

Mandatory credit counseling certificate information:

This is a third-party required course to file a bankruptcy and then another course to get a discharge. You get a certificate for each person filing. It can be done usually in part of a day and costs around \$50-70 depending on whether you are an individual or a couple for the pre-filing cert. and around \$30-60 for the post-filing cert.

The first certificate is good as long as you file less than 6 months after it is dated.

A good place that does this type of certificate by phone or internet is:

www.abacuscc.org 1-800-516-3834

Also, you can go to this website and see the list of approved agencies in the Eastern District of Arkansas:

http://www.usdoj.gov/ust/ea/bapcpa/ccde/CC_Files/CC_Approved_Agencies_HTML/cc_arkansas/cc_arkansas.htm

Don't forget you need a pre-bankruptcy certificate to file, and then after the case is filed you also need a Financial Management certificate which would come from the same place. Get the Financial Management course as soon after the bankruptcy is filed as you can, as these places are busy and you don't want to have to reopen a case to file one. You don't have to wait for your courtdat to do the 2nd course, it can be done the day after the case is filed if you can.

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PLEASE LIST ALL PROPERTY YOU OWN AND THE VALUE OF EACH ASSET, EVEN IF VALUE IS \$0.00. IF YOU HAVE THE RIGHT TO SUE ANYBODY FOR DAMAGES, YOU MUST LIST IT EVEN IF YOU DON'T WANT TO SUE.

1. Value Cars, Trailers, Boats, and Other Vehicles at Retail Value.
2. Value Houses & Land at Fair Market Value **from a licensed realtor, in writing.**
3. Value Everything else at Wholesale/Yardsale/Quicksale Value

	VALUE:	DEBT OWED:	None
Real Property (Land & Buildings), I do need a legal description if you have one: PLEASE LIST YOUR LIVING ARRANGMENTS REGARDLESS OF YOUR INTENTION WITH THEM.			
1. Cash on Hand (not in a bank account, this means dead presidents in the pocket):			
2. Checking/Savings (List Bank names) DO NOT FORGET CREDIT UNIONS:			
3. Security Deposits for Rent, Utilities, etc.:			
4. Household Goods, Furnishings, electronics, please list how many TVs, VCRs, etc., :			
5. Books, Pictures, Antiques/Collectibles worth over \$500, :			
6. Clothing:			
7. Furs & Jewelry : Be specific here- Everybody has this even if it is just costume jewelry and a watch			
8. Firearms, Sports Equipment, Cameras, & Hobby Equipment:			
9. Life Insurance Policies (List Cash Value for whole life, put \$0.00 value for term life- Include a copy of whole life statements):			
10. Annuities:			
11. Education-specific IRAs:			
12. IRA, Pension, Profit Sharing, & 401K Plans:			
13. Stocks, Bonds, interests in any business:			
14. Interest in partnerships or joint ventures: Tax Refunds & Other Debts Owed to You:			
15. Government or corporate bonds, any other negotiable or non-negotiable instruments:			
16. Accounts Receivable:			

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	VALUE:	DEBT OWED:	None
17. Alimony, Support, Property Settlements (List who owes you back child support):			
18. Other debts owed to you now that are in specific amounts, like tax refunds:			
19. Life Estates & Future Interests, Inheritance, Trusts, etc.:			
20. Possible and/or present rights to receive anything from someone's death or a trust: Counterclaims, Setoffs, etc.:			
21. Other debts that might be owed to you now where you are unsure of the exact value, including tax refunds , counterclaims, setoffs: Can you sue anybody? Put it here:			
22. Patents & Copyrights & any other intellectual property:			
23. Licenses & Franchises & other general intangibles:			
24. Customer lists of consumers you sell stuff to that have private info like SSN, email, etc:			
25. Autos, Trucks, Trailers & Motorcycles & 4 wheelers (List year, make, & model, & mileage) List each of the creditors for this section in the list of debts also!:			
26. Boats, Motors, & Accessories:			
27. Aircraft & Accessories:			
28. Office Equipment, Furnishings, Supplies			
29. Business Machinery, Fixtures, etc Farming Equipment & Implements:			
30. Farm Supplies, Chemicals, & Feed:			
31. Animals (don't forget pets or livestock):			
32. Crops - Growing or Harvested:			
33. Farming Equipment & Implements:			
34. Farm supplies, chemicals, & feed:			
35. Other personal property not listed above:			

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LIST OF CREDITORS (I MUST have rough dates of use for debts over \$1,000, if possible use a credit report to find when you opened an account):

Please print clearly. **List all debts you have, even those you want to pay and keep.** DO NOT LEAVE ANY ADDRESSES BLANK! ACCOUNT NUMBERS ARE ABSOLUTELY MANDATORY! YOU MUST USE THE MOST RECENT ADDRESS GIVEN WITHIN THE LAST 60 DAYS. Blank sections will delay your bankruptcy.

Creditors Name & Address:	Amount Owed, Dates of use:	Account Number:	Property pledged on note, if any, :	Co-Debtor Name & Address, if any (please don't leave these out):
1 (example) Bank of Darkness P.O. Box 666 Wegottayomoney, NJ 00666	\$ 4,666 Date: 2004 until 2008	xxxxxxxx	4 Wheeler, etc. note that for most credit cards, this is blank, only put stuff here like house, car, etc.	Uncle Billy, etc, etc
2	\$ Date:			
3	\$ Date:			
4	\$ Date:			
5	\$ Date:			
6	\$ Date:			
7	\$ Date:			
8	\$ Date:			
9	\$ Date:			
10	\$ Date:			

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Creditors Name & Address:	Amount Owed:	Account Number:	Property pledged on note, if any:	Co-Debtor Name & Address, if any:
11	\$ Date:			
12	\$ Date:			
13	\$ Date:			
14	\$ Date:			
15	\$ Date:			
16	\$ Date:			
17	\$ Date:			
18	\$ Date:			
19	\$ Date:			
20	\$ Date:			

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EMPLOYMENT (Be sure to complete employer's address section): SSN IS REQUIRED!

SSN (Self): _____ Job Description: _____ Employer: _____ How long employed? _____ Employer Address: _____ Employer Phone #: _____	SSN (Spouse): _____ Job Description: _____ Employer: _____ How long employed? _____ Employer Address: _____ Employer Phone #: _____
--	--

Dependents (children under 18 or tax dependents of any type) that reside with you:

Relationship: _____	Age: _____	Relationship: _____	Age: _____
Relationship: _____	Age: _____	Relationship: _____	Age: _____
Relationship: _____	Age: _____	Relationship: _____	Age: _____

INCOME INFORMATION

<u>GROSS SALARY & WAGES</u>	<u>SELF</u>	<u>SPOUSE</u>
Current monthly income:	\$ _____	\$ _____
Estimated Monthly Overtime:	\$ _____	\$ _____
<u>PAYROLL DEDUCTIONS</u>		
Taxes & Social Security:	\$ _____	\$ _____
Insurance:	\$ _____	\$ _____
Union Dues:	\$ _____	\$ _____
Other Deductions:	\$ _____	\$ _____
TOTAL MONTHLY NET PAY:	\$ _____	\$ _____

OTHER INCOME

Farm or Business:	\$ _____	\$ _____
Property Rental:	\$ _____	\$ _____
Interest & Dividends:	\$ _____	\$ _____
Child Support Paid to You:	\$ _____	\$ _____
Social Security or Government Assistance:	\$ _____	\$ _____
Pension or Retirement Income:	\$ _____	\$ _____
Other Income	\$ _____	\$ _____
_____	\$ _____	\$ _____
_____	\$ _____	\$ _____

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Please list any increase or decrease of more than 10%(take-home) you expect to happen within one year:

<u>RENT OR MORTGAGE PAYMENT</u> (include Mobile Home Lot):	\$
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Are Taxes & Insurance Included? Yes _____ No _____

UTILITIES

Gas/Electricity:	\$
Water/Sewer:	\$
Telephone:	\$
Cable:	\$
Other Utilities: _____	\$

<u>HOME MAINTENANCE:</u>	\$
<u>FOOD:</u>	\$
<u>CLOTHING</u> (Include diapers, etc.):	\$
<u>LALUNDRY & DRY CLEANING</u> (Include Soap, Bleach, etc.):	\$
<u>MEDICAL & DENTAL EXPENSES</u> (Not Covered by Insurance):	\$
<u>TRANSPORTATION</u> (Gas & Upkeep on Vehicle - Not Vehicle Payment):	\$
<u>NEWSPAPERS, MAGAZINES, ETC.:</u>	\$
<u>CHARITABLE CONTRIBUTIONS:</u>	\$

INSURANCE(Don't list items deducted from payroll here):

Homeowners or Renters:	\$
Life:	\$
Health:	\$
Auto:	\$
Other:	\$

<u>TAXES</u> (Such as Personal Property - Averaged Monthly):	\$
<u>INSTALLMENT PAYMENTS</u> (On Secured Property-don't list items that are to be paid in the chapter 13 plan or that you don't plan to keep if your case is a chapter 7):	\$
Auto:	\$
Other:	\$

Child Expenses for School (activities, fees, etc.) \$

<u>ALIMONY or CHILD SUPPORT</u> (Paid to Others Outside Paycheck):	\$
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<u>TOBACCO, HAIRCUTS, CHILD CARE, etc.:</u> Be Specific:	\$
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<u>REGULAR EXPENSES FOR BUSINESS</u> (Itemize):	
1.	\$
2.	\$

<u>TOTAL MONTHLY EXPENSES:</u>	\$

Do you have any reasonable expectation that your expenses will increase or decrease over the next year? Please explain:

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STATEMENT OF FINANCIAL AFFAIRS

PLEASE ANSWER AS ACCURATELY AS POSSIBLE! **THIS SECTION IS IMPORTANT AND MUST BE COMPLETE!**

1. List the amount of GROSS INCOME INCLUDING THE SPECIFIC SOURCE OF INCOME received from employment or operation of business (TAKE FROM PAY STUBS & TAX RETURNS) **IF MARRIED, LIST INCOME FOR HUSBAND IN FIRST BLANK, WIFE IN SECOND BLANK. Attach extra pages if needed.**

Year to Date	\$ _____	Source: _____	\$ _____	Source: _____
Last Year	\$ _____	Source: _____	\$ _____	Source: _____
Two Years Ago	\$ _____	Source: _____	\$ _____	Source: _____

2. List any INCOME from another source other than number 1 for the past two (2) years (like unemployment, social security, disability, or child support) **IF MARRIED, USE FIRST BLANK FOR HUSBAND, SECOND FOR WIFE:**

Year to Date	\$ _____	\$ _____	Last Year	\$ _____	\$ _____
Two Years Ago	\$ _____	\$ _____	WHAT TYPE OF INCOME WAS IT? _____		

3. a) Have you made payments totaling \$600.00 or more to any one creditor **within the past 90 days?** If yes, please list Creditor and amount (e.g. If your house or car or any other payment is at least \$200 a month, and you have paid it over the last 90 days, list it). **ALSO LIST CHILD SUPPORT PAID IN THE LAST 90 DAYS AND ANY PAYMENTS ON CREDIT COUNSELING. IF YOU NEED MORE SPACE, ATTACH ANOTHER SHEET. IF THE CREDITOR WAS TOTALLY PAID OFF, I NEED TO KNOW THE ADDRESS.**

_____ None _____

b) Have you made **any** payments to **any relatives, friends, partners, or corporations** in which you were an officer **over the last year?** If yes, please list who, their address, and the amount paid.

_____ None _____

4. a) Have you been involved in any way in a lawsuit or an administrative claim **within the last year INCLUDING DIVORCE ACTIONS?** If yes, please list the name of the creditor, **case number**, and location of the court. Make sure you have listed anybody suing you over a debt in the list of creditors also. If you have ANY court judgments against you, please also list them no matter how old they are unless they are paid in full.

None _____

ATTACH A COPY OF ALL LAWSUITS UNLESS I ALREADY HAVE A COPY!

5. Has any of your property been attached, garnished, seized, **repossessed**, foreclosed on, or returned **within the past year.** If yes, please list the name of the creditor, the date(s), and the item.

_____ None _____

6. a) Have you made any mortgage or property assignments within the past **120 days?** Most people can answer no to this question, it basically means have you given a bank or person a mortgage against property for some reason within 120 days?

None _____

b) Has any of your property been given to a custodian, receiver, or court appointed official **within the past year?** Are you involved in any way with a trust either as trustee or as beneficiary?

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None _____

7. Have you given any gifts or **charitable contributions (please include your church with address)** worth more than \$100 to anybody or any organization **within the past year?** I must have the name and address, but they will not be contacted.

None _____

8. Have you suffered any losses from fire, theft, accident, or gambling **within the past year?** Attach details.

None _____

9. Other than our office, have you made any payments to any debt counselors? **Don't forget your mandatory counseling.**

None _____

10. Have you transferred or sold **any property within the last 2 years** except for transfers in the ordinary course of financial affairs? If yes, please list to whom given or sold, their address, amount received, and the date of the sale/transfer. For real estate, I must have a closing statement. If you need more room, attach an extra page. **ALSO, list any property transferred to a self-settled trust or any trust of which you are a beneficiary.**

None _____

11. Have you closed **any** bank accounts or financial accounts of any type- checking, savings, CDs, or other accounts **within the past year?** If yes, please list the Bank, Date of Closing, Final Balance, and Type of Account **and last 4 digits of account number.**

None _____

12. Do you have access to a safe deposit box, or have you had access to one **within the past year?** If yes, please list the institution, contents, and the names of people with access.

None _____

13. Has any creditor taken your funds and reduced your debt by that amount **within the last 90 days** (e.g. your bank)? This is called an setoff. Note that garnishments go in section 5 above.

None _____

14. Do you hold any property that belongs to someone else in your house or yard (like your dad's lawnmower or anything you have borrowed)? If yes, please list the property, its value, who it belongs to, their address, and why you have it.

None _____

Item _____ Value \$ _____ Owner _____

Address _____ Reason _____

Item _____ Value \$ _____ Owner _____

Address _____ Reason _____

15. Have you lived anywhere else besides the address you are currently at within the past **three (3) years?** If yes, please list all addresses, names used, and the dates you resided there.

Address _____ Names Used _____

From ___/___/___ To ___/___/___

Address _____ Names Used _____

From ___/___/___ To ___/___/___

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Address _____

Names Used _____

From ____/____/____ To ____/____/____

16. ***Most people can ignore this question, unless you have recently lived in the states listed.** If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **eight-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state: _____

17. ***Most people can ignore this question.** Are you involved in any way with responsibility for Hazardous Material, other than as an employee (with NO ownership interest) for a business that handles such materials?

18. **Very important:** Have you or your spouse owned a business, been an officer in a corporation, involved in a partnership, or had any interest in any business of any kind **within the last 6 years**? ____YES ____NO. If yes, please attach another sheet with the names, taxpayer Ids, and d/b/a names of the business in the comment section below. Also include information on who has done your taxes and/or bookkeeping within the last 2 years on the business. Are you a landlord with a single unit comprising less than 4 sub-units?

If you have any comments or concerns that you have not discussed with me, please put them in the space below:

I certify that the information provided on these forms and attachments is true and correct to the best of my knowledge:

X _____, Date _____ X _____, Date _____ (spouse, if jointly filed case)

Finally, Please, Please, Please, call or email your senators as well as your congressman and let them know what a difficult time you have had putting together all of this information, much of which is in my opinion a waste of time. Let them know if the credit counseling certificate process was helpful to you or if it was useless and that you don't appreciate having to pay for something that used to be free. Also, let them know you don't think taxpayers should pay billions of extra tax dollars and attorney fees for a bankruptcy system that congress has made difficult for no better reason than that congress was paid by credit card companies to pass the bill that the banking lobby drafted. The new bankruptcy code is recognized by many judges and even bank attorneys (really!) as one of the worst written piece of #\$\$%@ laws in U.S. History. Let them know you vote and you're unhappy with the power given to the banking industry at taxpayer expense. Especially let them know if you have had frustrations dealing with the failure of a mortgage workout with your mortgage company:

John Boozman, 501-372-7153, email <http://boozman.senate.gov/public/index.cfm/e-mail-me>

Mark Pryor, 501-324-6336, email senator.pryor@pryor.senate.gov