

MEANS TEST ISSUES

1. Who files a Means Test?
 - A) Consumer Debtors
 - B) Debtors Converting from Ch. 13
 - C) Debtor's who are not Disabled Veterans

2. What is your Current Monthly Income?
 - A) What is your marital status? (May conflict between Schedule I and Means Test)
 - B) **Gross** Income based on **six months** prior to filing (e.g. filed October 30, 2006, use pay statements from April through September, 2006 - Don't use October)
 - C) Must include all business income and rental income but can't end up with a loss
 - D) Include all retirement, pension, annuities, etc. received by Debtor except Social Security payments (can include all types of income from all other people under Line 8)
 - E) Bonuses, tuition reimbursements, personal injury settlement proceeds, moving expense reimbursement, sale of home, sale of other personal property, NOT tax refunds (all these items will be considered in whether UST declines to prosecute case)

3. What is your Household Size?
 - A) Those claimed as dependants on tax return
 - B) Those who meet 3 prong test:
 - 1) Lived with over 1 year
 - 2) Pool income
 - 3) Share cost of household expenses (single economic unit)
 - C) Unborn children

4. What Marital Adjustment can you claim?
 - A) Only deduct reasonable expenses paid by non-filing spouse which are not already calculated under Part V
 - B) See In re Travis

5. What is your Housing Allowance?
 - A) UST position: Claim higher of Standard Allowance or Average Monthly Payment for debts secured by the home

6. What Vehicles can you claim ownership expense for?
 - A) Leased Vehicles
 - B) Not other people's vehicles
 - C) Not Surrendered vehicles
 - D) Anything with a motor used for transportation

7. What is Line 22 for? **IGNORE LINE 22**

8. What Taxes can you include?
 - A) Taxes which you actually incur (not taxes withheld)
 - B) Taxes on Current Monthly Income

9. What are Mandatory Payroll Deductions?
 - A) Those required by your employer
 - B) NOT 401(k) loan contributions or 401(k) loan repayments

10. What are Health Care Expenses?
 - A) Those paid AFTER insurance pays its portion and health savings account is depleted
 - B) Monthly Medical Costs after insurance are \$250 per month, Health Savings Account covers first \$100 of monthly medical expenses, remaining \$250 is "Health Care Expense"

11. What Documents must Debtors bring to my 341 Meeting?
 - A) Excess Energy Costs
 - B) Education Expense for those under 18
 - C) Excess Food and Clothing Expenses
 - D) What if I don't bring them?

12. What Deductions can be taken for Secured Debt Payments
 - A) Not Surrendered Assets
 - B) Not Assets owned by someone else but paid for by Debtor
 - C) Not on 401(k) loan payments

13. What Priority Claims can be included?
 - A) Taxes
 - B) Child Support and Alimony
 - C) Not Student Loan debt -

14. What are Additional Expense Claims?
 - A) Must be required for health and welfare of Debtor and Debtor's family
 - B) Not a place to put excess of expenses not previously allowed

15. What are Special Circumstances?
 - A) Serious Medical Condition
 - B) Active Duty in Armed Forces
 - C) Circumstances for which there is no Reasonable Alternative