



U.S. Department of Justice

Office of the United States Trustee
999 18th Street, Suite 1551
Denver, CO 80202

Phone 303-312-7230
Fax 303-312-7259

RE: ANNOTATED PETITION, STATEMENT OF FINANCIAL AFFAIRS, AND
SCHEDULES FOR BANKRUPTCY PRACTITIONERS

Dear Bankruptcy Practitioner:

One of the statutory duties of the United States trustee is to supervise the administration of cases by "taking such action as the United States trustee deems to be appropriate to ensure that all reports, schedules, and fees required to be filed under title 11 . . . are *properly* and timely filed (emphasis added)". 28 U.S.C. §586(a)(3)(D).

In furtherance of that duty, we have developed the attached annotated bankruptcy petition, Statement of Financial Affairs, and schedules in consultation with the Chapter 7 panel trustees and the Chapter 13 standing trustees. The comments contained therein are based on the inaccuracies and/or incomplete information that we see most frequently when we review the documents filed by debtors.

The annotations on these documents are meant to serve as guidance and are not intended to be, nor should they be construed as, legal advice. However, we hope that you will find them to be useful reminders in working with your clients to ensure that the information they file with the Court is true and correct to the best of their knowledge, information and belief - making the system work more efficiently and effectively for all parties.

UNITED STATES TRUSTEE
Region 19
Districts of Colorado, Utah and Wyoming

[illegible]

(Official Form 1) (12/03)

Voluntary Petition (This page must be completed and filed in every case)		Name of Debtor(s):	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)			
Location Where Filed:	Case Number:	Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner or Affiliate of this Debtor (If more than one, attach additional sheet)			
Name of Debtor:	Case Number:	Date Filed:	
District:	Relationship:	Judge:	

Debtors should provide complete information about prior filings within the prior 6 years and pending and affiliated cases. Frequently this information is omitted and/or these questions are not answered at all. Provide chapter and disposition (dismissed, discharged, etc.)

Signature(s) of Debtor(s) (If I declare under penalty of perjury that the petition is true and correct. [If petitioner is an individual whose debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12 or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.)

X _____
Signature of Debtor

X _____
Signature of Joint Debtor

Telephone Number (If not represented by attorney)

Date

☐ Exhibit A is attached and made a part of this petition.

Be sure to put the actual date debtors signed, if different from the filing date. Debtors should never be allowed to sign petition or schedules and/or SOFA in blank.

chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.

X _____
Signature of Attorney for Debtor(s) Date

Exhibit C

Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety?

☐ Yes, and Exhibit C is attached and made a part of this petition.

☐ No

Signature of Attorney

X _____
Signature of Attorney for Debtor(s)

Printed Name of Attorney for Debtor(s)

Firm Name

Address

Telephone Number

Date

Signature of Non-Attorney Petition Preparer

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed Name of Bankruptcy Petition Preparer

Social Security Number (Required by 11 U.S.C. § 110(c).)

Address

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document:

This information is often not completed where petition preparers are involved or others assist in preparing these documents.

If _____ for each person.

X _____
Signature of Bankruptcy Petition Preparer

Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. § 110; 18 U.S.C. § 156.

Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct. Attorneys should provide fax numbers and e-mail addresses, as well as phone numbers.

X _____
Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Telephone Number

Date

In re _____
Debtor

Case No. _____
(If known)

SCHEDULE A - REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a co-tenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and

Mobile homes sometimes listed here in error - should be listed on Schedule B unless attached to real property owned by the debtor which is listed here.

By property, state the amount of the secured claim. See Schedule D. If no entity claims, column labeled "Amount of Secured Claim."

the amount of any exemption claimed in the property only in Schedule C - Property

Claimed as Exempt.

DESCRIPTION AND LOCATION OF PROPERTY	NATURE OF DEBTOR'S INTEREST IN PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITHOUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION	AMOUNT OF SECURED CLAIM
<p>Use street address unless there is none, in which case give legal description.</p>				
<p>Timeshare interests should be listed on Schedule G unless deeded interest is owned, in which case list here. If unsure if deeded, list both here and on Schedule G.</p>				
<p>Nature of debtor's interest often not listed (e.g. fee title, life estate, residual interests)</p>				
<p>Practice Point: If no real estate is listed here and no lease is listed on Schedule G, debtor should provide an explanation as to where debtor lives (and terms of occupancy).</p>				
<p>If less than full value of entire property is listed, debtor should explain why.</p>				
<p>Indicate actual amount of debt against the property - don't just say "exceeds fair market value".</p>				
<p>Indicate how "market value" arrived at and ranges if appropriate (e.g. appraised value, market analysis /comps., listing price if previously marketed, assessed value).</p>				
<p>Total ➤ (Report also on Summary of Schedules.)</p>				

In re _____
Debtor

Case No. _____
(If known)

SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petitioner is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Practice Point: All personal property should be listed here, even if debtor intends to surrender, redeem or reaffirm and so indicates on the Statement of Intention. **Rule.** List them in Schedule G - Executory Contracts and address under "Description and Location of Property."

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
1. Cash on hand.				
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and home-stead associations, or credit unions, brokerage houses, or cooperatives.				
3. Security deposits with public utilities, telephone companies, landlords, and others.				
4. Household goods and furnishings, including audio, video, and computer equipment.				
5. Books; pictures and other art objects; antiques; stamp, coin, record, tape, compact disc, and other collections or collectibles.				
6. Wearing apparel.				
7. Furs and jewelry.				
8. Firearms and sports, photographic, and other hobby equipment.				
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.				
10. Annuities. Itemize and name each issuer.				

Bank accounts frequently omitted or disclosure is incomplete. List each account separately, along with name and address of the institution, type of account (e.g. checking, savings, etc.). Provide last 4 digits of acct. number and balance as of petition date without deduction for outstanding checks.

List 529 college savings plans here.

Name and address of holder of security deposit frequently not listed or, if lease deposit, doesn't match Schedule G.

Provide itemized list with totals. Often no detail is provided (for instance instructions say to list each major appliance separately and to separately mention items of unusual value). Don't forget items in storage, held by others, etc.

List term policies and note their "face" amounts even if they have no cash value.

In re _____
Debtor

Case No. _____
(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.		These interests are often omitted. Account balances should be listed. If loans are outstanding against these accounts, indicate the loan balance.		
12. Stock and interests in incorporated and unincorporated businesses. Itemize.		Interests often omitted. Don't list assets owned by the entity, just list the interests <u>in</u> the entity. Provide addresses for nonpublic corps., LLCs, etc. Provide detail on stock investments, e.g. # of shares and value as of a date certain if known.		
13. Interests in partnerships or joint ventures. Itemize.				
14. Government and corporate bonds and other negotiable and non-negotiable instruments.		Provide information on "face" amount of receivables and collectability.		
15. Accounts receivable.		Maintenance and support arrearages owed to the debtor should be listed here.		
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.		Tax refunds and wages owed to the debtor should be listed here, but rarely are.		
17. Other liquidated debts owing debtor including tax refunds. Give particulars.				
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.		Worker's compensation, personal injury, EEOC, small court claims, etc. should be listed here. Failure to do so may require reopening of the case later to administer these assets.		
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.		Fed.R.Bank.P. 1007(h) <u>requires</u> amendment within 10 days after relevant information comes to the debtor's knowledge.		
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.				
21. Patents, copyrights, and other intellectual property. Give particulars.		Likely, but unliquidated tax refunds should be estimated and listed here but rarely are. Counterclaims for suits and proceedings listed in SOFA #4 should be listed here but rarely are.		
22. Licenses, franchises, and other general intangibles. Give particulars.				
		If this information is disclosed at all, usually incomplete. Should list <u>each</u> patent or copyright separately. If intellectual property rights have been assigned but debtor is entitled to royalties, license fees, etc., those retained rights should be disclosed - but often are not.		

In re _____,
Debtor

Case No. _____
(If known)

SCHEDULE B - PERSONAL PROPERTY

(Continuation Sheet)

TYPE OF PROPERTY	N O N E	DESCRIPTION AND LOCATION OF PROPERTY	HUSBAND, WIFE, JOINT, OR COMMUNITY	CURRENT MARKET VALUE OF DEBTOR'S INTEREST IN PROPERTY, WITH- OUT DEDUCTING ANY SECURED CLAIM OR EXEMPTION
23. Automobiles, trucks, trailers, and other vehicles and accessories.		<div style="border: 1px solid black; padding: 5px;"> <p>Debtors often omit vehicles registered or co-registered in their names that their children drive. Often, adequate descriptions (make, model, year, mileage, big ticket accessories - i.e. info needed to confirm NADA or KBB value) are not provided.</p> <p>Practice Point: If value of vehicle is significantly different from NADA or KBB values due to mechanical or body condition, say so.</p> </div>		
24. Boats, motors, and accessories.				
25. Aircraft and accessories.				
26. Office equipment, furnishings, and supplies.		<div style="border: 1px solid black; padding: 5px;"> <p>Details on boats (i.e. length, material, motor) often not provided.</p> </div>		
27. Machinery, fixtures, equipment, and supplies used in business.		<div style="border: 1px solid black; padding: 5px;"> <p>Detail often not provided - and no itemized lists attached.</p> </div>		
28. Inventory.				
29. Animals.		<div style="border: 1px solid black; padding: 5px;"> <p>Provide appropriate description / quantities, especially for registered animals and livestock.</p> </div>		
30. Crops - growing or harvested. Give particulars.		<div style="border: 1px solid black; padding: 5px;"> <p>Practice Point: Debtors rarely state, but should, how market values were determined for items where such values are not readily available (e.g. collectibles, intangibles, etc.).</p> </div>		
31. Farming equipment and implements.				
32. Farm supplies, chemicals, and feed.				
33. Other personal property of any kind not already listed. Itemize.				

_____ continuation sheets attached Total▶

\$

(Include amounts from any continuation sheets attached. Report total also on Summary of Schedules.)

In re _____,
Debtor

Case No. _____
(If known)

SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

(Check one box)

- ☐ 11 U.S.C. § 522(b)(1): Exemptions provided in 11 U.S.C. § 522(d). **Note: These exemptions are available only in certain states.**
- ☐ 11 U.S.C. § 522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

DESCRIPTION OF PROPERTY	SPECIFY LAW PROVIDING EACH EXEMPTION	VALUE OF CLAIMED EXEMPTION	CURRENT MARKET VALUE OF PROPERTY WITHOUT DEDUCTING EXEMPTION
<div style="border: 1px solid black; padding: 5px; margin: 10px;"> <p>Often not enough detail given to be able to identify which particular items of property are being claimed as exempt. (e.g. <u>do</u> say "2002 Dodge Neon" <u>don't</u> say "vehicle")</p> </div> <div style="border: 1px solid black; padding: 5px; margin: 10px;"> <p>Values given here should match values given on other schedules.</p> </div> <div style="border: 1px solid black; padding: 5px; margin: 10px;"> <p><u>Don't</u> list full amount of statutory exemption where only a percentage ownership interest is claimed.</p> </div> <div style="border: 1px solid black; padding: 5px; margin: 10px;"> <p>Practice Point: If terms of employment require special tools of the trade, be prepared to provide trustee proof of same.</p> </div>			

In re _____
Debtor

Case No. _____
(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, list the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint debtor or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "CODEBTOR."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Property listed on Statement of Intention should also be listed on this schedule. Report this total also on the Summary of Schedules.

Property securing these debts should be listed on Schedules A and B.

Property listed on Statement of Intention should also be listed on this schedule.

Report this total also on the Summary of Schedules.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.		Even last 4 digits of acct. numbers often not provided.					
		VALUE \$					
ACCOUNT NO.		Co-debtor box often not checked where there is a co-debtor. Make sure consistent with Schedule H.					
		VALUE \$					
ACCOUNT NO.		Value of collateral often unlisted or is inconsistent with Schedules A & B.					
		VALUE \$					
ACCOUNT NO.		Dates are frequently omitted. At a minimum, give month and year.					
		VALUE \$					
ACCOUNT NO.		Leases with "option to buy" are often listed on this schedule when they should <u>only</u> be listed on Schedule G.					
		VALUE \$					
Subtotal (Total of this page)						\$	
Total (Use only on last page)						\$	

_____ continuation sheets attached

(Report total also on Summary of Schedules)

In re _____
Debtor

Case No. _____
(If known)

SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE AND ACCOUNT NUMBER (See instructions.)	CODEBTR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
ACCOUNT NO.								
			VALUE \$					
ACCOUNT NO.								
			VALUE \$					
ACCOUNT NO.								
			VALUE \$					
ACCOUNT NO.								
			VALUE \$					

"Contingent" box is sometimes checked in error. Debt is "contingent" only if liability depends upon the occurrence of a certain event.

"Unliquidated" box is sometimes checked in error when debt is, in fact, liquidated. A debt is "unliquidated" only where the approximate amount of the claim is not readily determinable from reference to account statements, invoices, etc.

"Disputed" box sometimes checked in error. Debt is "disputed" only when debtor and creditor do not agree on debtor's liability or the amount of the debt.

Description of collateral and nature of lien often inadequate. Should match Schedules A & B.

Practice Point: If debt was incurred for business purpose, so state. If partially for business, give estimate of amount that is business.

Practice Point: Debts which are only guaranteed by the debtor or which have been secured by property not owned by the debtor should not be listed on this schedule but only on Schedule F.

(Us) **Don't** list the unsecured portion of any secured debt again on Schedule F.

In re _____
Debtor

Case No. _____
(if known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor." include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$4,650* per person earned within 90 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(3).

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,650* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,100* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

In re _____
Debtor (if known)

Case No. _____

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☐ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).

* Amounts are subject to adjustment on April 1, 2004, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

____ continuation sheets attached

In re _____,
Debtor

Case No. _____
(If known)

SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

(Continuation Sheet)

TYPE OF PRIORITY

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
ACCOUNT NO.								
Practice Point: Student loans are never priority debts but often are listed on this schedule in error.								
ACCOUNT NO.								
Practice Point: If a priority debt is fully or partially secured by a lien on property (e.g. tax liens), list it only on Schedule D and don't repeat it here.								
ACCOUNT NO.								
Practice Point: Co-debtor box often not checked, even though there is one.								
ACCOUNT NO.								
Practice Point: Dates frequently omitted and description of consideration often inadequate. For tax debts, list taxable period for which debt was incurred.								
ACCOUNT NO.								
Practice Point: Determine if alimony / maintenance / support payments have been assigned. If so, may not be a priority debt. See 11 U.S.C. § 507(a)(7).								

Sheet no. _____ of _____ sheets attached to Schedule of Creditors Holding Priority Claims

Subtotal
(Total of this page)

\$

Total

\$

(Use only on last page of the completed Schedule E.)
(Report total also on Summary of Schedules)

Debtor

(If known)

SCHEDULE F- CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor.

Practice Point: Debtors with closely-held but separate businesses often list ALL debts of corp/business, even if they have not guaranteed or co-signed. If such debts are listed, debt should be identified as a business debt and some indication of basis of liability (e.g. guarantee, co-signed, judgment, etc.)

Practice Point: Claims often are double or triple counted (original or actual creditor, subsequent purchaser or assignee of claim and collection agency/law firm). List amount of debt only once.

Report total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							
ACCOUNT NO.							

_____ continuation sheets attached

Subtotal
 Total

\$
 \$

(Report also on Summary of Schedules)

In re _____ Debtor

Case No. _____ (If known)

SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

If debt arises out of lease obligations, list total debt to include arrearages and total of remaining lease payments but not "buy out" amount at end of lease.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	HUSBAND, WIFE, JOINT, OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 			If debt arises out of foreclosure or repossession, don't list the entire amount of the debt, list only the deficiency if known.				
ACCOUNT NO. 							
ACCOUNT NO. 			Consideration often not listed or inadequately described. Be specific as to consideration, e.g. medical, business, household, etc. If mixed business/household, try to estimate percentages for each.				
ACCOUNT NO. 							
ACCOUNT NO. 			Practice Point: <u>All</u> unsecured debts must be listed, even if payments current on the obligation, even if intend to reaffirm or continue to pay.				
ACCOUNT NO. 							
<div data-bbox="214 1495 867 1602"> <p>Don't list debts on this schedule which have already been listed on Schedules D or E.</p> </div>							
Sheet no. _____							
Creditors Holding Unsecured Nonpriority Claims							

(Use only on last page of the completed Schedule F.)
(Report total also on Summary of Schedules)

In re _____
Debtor

Case No. _____
(if known)

SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☐ Check this box if debtor has no executory contracts or unexpired leases.

NAME AND MAILING ADDRESS, INCLUDING ZIP CODE, OF OTHER PARTIES TO LEASE OR CONTRACT.	DESCRIPTION OF CONTRACT OR LEASE AND NATURE OF DEBTOR'S INTEREST. STATE WHETHER LEASE IS FOR NONRESIDENTIAL REAL PROPERTY. STATE CONTRACT NUMBER OF ANY GOVERNMENT CONTRACT.
<div data-bbox="264 798 824 874" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Descriptions often inadequate/incomplete.</p> </div> <div data-bbox="418 906 1151 1155" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Practice Point: List expiration date of lease / contract. Debtors often do not list leases where the original lease term has expired and their tenancy is month-to-month. These leases should be listed and the name and mailing address of the landlord should be provided with a notation such as "month-to-month".</p> </div> <div data-bbox="602 1176 1016 1247" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Storage unit leases often omitted.</p> </div> <div data-bbox="345 1278 1071 1349" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Often leases on which the <u>debtor</u> is the landlord are not listed.</p> </div> <div data-bbox="524 1370 964 1459" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Mobile home lot leases often not listed.</p> </div> <div data-bbox="391 1481 1086 1644" style="border: 1px solid black; padding: 5px; margin-bottom: 10px;"> <p>Timeshare interests should be listed on this schedule if they are not deeded interests, otherwise they should be listed on Schedule A and identified as such. If unsure if deeded, list both here and on Schedule A.</p> </div> <div data-bbox="168 1689 722 1791" style="border: 1px solid black; padding: 5px; display: inline-block; width: 45%;"> <p>Real estate listing agreements and related real estate contracts are often omitted.</p> </div> <div data-bbox="781 1693 1430 1868" style="border: 1px solid black; padding: 5px; display: inline-block; width: 45%;"> <p>Practice Point: Lessors and other parties to executory contracts will not be picked up on the mailing matrix and will not receive notice if they are only listed on this schedule.</p> </div>	

In re _____,
Debtor

Case No. _____
(if known)

SCHEDULE H - CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
<p>Co-debtors frequently not listed even when "co-debtor" box checked on Schedules D, E and F. A "co-debtor" is any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by the debtor in the schedules. Co-debtors and their addresses should always be listed, whether the debt is incurred primarily for debtor's or co-debtor's benefit.</p>	
<p>Practice Point: Co-debtors will not get picked up on the mailing matrix and will not receive notice, if their names and addresses are only listed on this schedule.</p>	

In re _____

Case No. _____
(if known)

Debtor

Not always
filled out.**SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)**

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP	Dependents are not listed nor their ages. Names should not be given (just say "son" or "daughter", etc.)
Employment:	DEBTOR	SPOUSE
Occupation		
Name of Employer		
How long employed		
Address of Employer		

Information is missing completely or is incomplete regarding occupation, employer's name and length of employment.

Income: (Estimate of average monthly income)
Current monthly gross wages, salary, and commission (pro rate if not paid monthly.)
Estimated monthly overtime

Monthly overtime is not broken out.

DEBTOR	SPOUSE
\$ _____	\$ _____
\$ _____	\$ _____

SUBTOTAL

\$ _____	\$ _____
----------	----------

Insurance deduction often listed here and as expense item on Schedule J.

PAYROLL DEDUCTIONS
Payroll taxes and social security insurance
Union dues
Other (Specify: _____)

Overwithholding of taxes frequently occurs.

There is no detail or explanation of these deductions which are often lumped together. 401(k) loan payments and deductions frequently listed but no 401(k) listed on Schedule B.

Non-tax items should not be lumped with taxes.

TOTAL OF PAYROLL DEDUCTIONS

TOTAL NET MONTHLY TAKE HOME PAY

\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____

Regular income from operation of business or profession or farm (attach detailed statement)
Income from real property
Interest and dividends
Alimony, maintenance or support paid to debtor's use or that of dependents listed above.
Social security or other government assistance (Specify) _____
Pension or retirement income
Other monthly income (Specify) _____

If rental income, should correspond with Schedule A and G and vice versa.

Interest and dividends rarely disclosed and if disclosed, inconsistent with Schedule B.

Pensions, VA disability not always listed, especially when debtor also receives wages. (Indicate if pension is gross or net and if taxable.)

Business income is often omitted or listed as net, not gross (however, gross business income should NOT be listed for corp. or P/ship - should list what debtor receives in salary, dividends, other). Detailed statement rarely attached. Should be consistent with Schedule B, questions 12 and 13.

TOTAL MONTHLY INCOME

TOTAL COMBINED MONTHLY

\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____
\$ _____	\$ _____

(Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

This information is almost never filled out. For instance if a debtor expects full time work to be cut to part time, if they have been working out of the country at a much higher wage but are now back in their regular position, if they are expecting to receive pay raises or more overtime, this needs to be disclosed.

In re _____
Debtor

Case No. _____
(if known)

SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE	
	RELATIONSHIP	
Employment: Occupation _____ Name of Employer _____ How long employed _____ Address of Employer _____	DEBTOR	<p>Spouse's employment income is often left blank. Should indicate "none" or "unemployed" or "homemaker" etc., if no income.</p> <p>These amounts should correlate with SOFA Q1. If not, there should be enough info to explain any differences.</p>
Income: If "unemployed", indicate how long unemployed. Current monthly income _____ (pro rate if not paid monthly.) Estimated monthly overtime _____	DEBTOR	SPOUSE
SUBTOTAL	\$ _____	\$ _____
LESS PAYROLL DEDUCTIONS: a. Payroll taxes _____ b. Insurance _____ c. Union dues _____ d. Other (Specify: _____)	\$ _____	\$ _____
<p>Often, commissions and bonuses are not included where there is a historical basis for inclusion.</p>	\$ _____	\$ _____
<p>Indicate whether deductions or withholdings are mandatory or discretionary.</p>	\$ _____	\$ _____
<p>Make sure both spouses not claiming duplicative deductions (e.g. insurance).</p>	\$ _____	\$ _____
<p>Where there is a non-debtor spouse, adult child, elderly parent or other adult living in the household, assume the trustee will be asking about his/her income and go ahead and provide it.</p>	\$ _____	\$ _____
<p>If alimony/maintenance is about to be reduced or end, indicate the expected reduction/ending date and the anticipated reduced amount.</p>	\$ _____	\$ _____
<p>Income from real property _____</p> <p>Interest and dividends _____</p> <p>Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above. _____</p> <p>Social security or other government assistance (Specify) _____</p> <p>Pension or retirement income _____</p> <p>Other monthly income (Specify) _____</p>	\$ _____	\$ _____
TOTAL MONTHLY INCOME	\$ _____	\$ _____
<p>TOTAL COMBINED MONTHLY INCOME \$ _____ (Report also on Summary of Schedules)</p>		

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

In re _____
Debtor

Case No. _____
(if known)

SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse." ☐

Rent or home mortgage payment \$ _____

Are real estate taxes included? ☐ **Practice Point:** Expenses should be actual continuing expenses after the petition is filed. For instance, if expenses like housing are minimal because living with a family member, so indicate and explain how long debtor expects those circumstances to continue.

Is property insurance included? ☐

Utilities Electricity and heating fuel \$ _____

Water and sewer \$ _____

Telephone \$ _____

Other _____ \$ _____

Home maintenance (repairs and upkeep) \$ _____

Food _____

Clothing _____

Laundry and dry cleaning _____

Medical and dental expenses _____

Transportation (not including car payments) \$ _____

Recreation, clubs and entertainment, newspapers, magazines, etc. \$ _____

Charitable contributions \$ _____

Insurance (not deducted from wages or included in home mortgage payments) \$ _____

Homeowner's or renter's \$ _____

Life \$ _____

Health \$ _____

Auto \$ _____

Other \$ _____

Taxes (not deducted from wages or included in home mortgage payments) (Specify) _____ \$ _____

Installment payments: (In cash) _____ \$ _____

Auto \$ _____

Other \$ _____

Alimony \$ _____

Childcare, school expenses and diapers often listed but no dependents listed on Schedule I. \$ _____

Payments for support of additional dependents not living at your home \$ _____

Regular expenses from operation of business, profession, or farm (attach detailed statement) \$ _____

Other \$ _____

TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules) \$ _____

[FOR CHAPTER 11] Provide the information requested below, including whether plan payments are to be made on weekly, monthly, annually, or at some other regular interval. **Detailed statement of business expenses rarely provided.**

A. Total projected monthly income _____

B. Total projected monthly expenses _____

C. Excess income (A minus B) _____

D. Total amount to be paid into plan each _____

Debtors who share expenses with non-filing spouse, adult child, elderly parent or other adult living in the household, should indicate if expenses listed are for the entire household or debtor's share.

D. Total amount to be paid into plan each _____ (interval)

In re _____
Debtor

Case No. _____
(If known)

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of _____ (Total shown on summary page plus 1.) sheets, and that they are true and correct to the best of my knowledge, information, and belief.

Date _____

Signature: _____
Debtor

Date _____

Signature: _____
(Joint Debtor, if any)
[If joint case, both spouses must sign.]

CERTIFICATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

BEFORE SIGNING:

Printed or Typed Name

Address

Names and Surnames

If more than one, list all

X _____

Signature of Bankruptcy Petition Preparer

A bankruptcy petition preparer is defined in 11 U.S.C. § 110.

I, the _____, of the _____ partnership, read the foregoing summary and schedules to the best of my knowledge, information, and belief.

Date _____

[An individual debtor must sign this declaration.]

Penalty for making a false statement under this declaration is perjury, which is a crime under 18 U.S.C. § 1621.

- Make certain debtor(s) understand civil and criminal consequences of providing incomplete and inaccurate information.
- Never allow debtors to sign SOFA or Schedules in blank.
- Always allow debtors adequate time to review SOFA and Schedules before signing and provide them a printed copy.
- Make certain all questions/items are answered.
- If signed and dated in advance of the actual filing, review and correct for changes before filing.
- Review SOFA and Schedules as a single document and identify and correct any inconsistencies.
- Make certain SOFA and Schedules are consistent with other documents the trustee/UST are likely to review (tax returns, paystubs, etc.).
- If there are unusual facts and circumstances which you believe may have some bearing on a civil enforcement decision, consider sending the trustee and/or UST a copy of the SOFA and Schedules under explanatory cover letter.

C. §

of the
have
the

Practice Point: Check to see if information here is consistent with Schedule I. Generally it should be unless there has been a job change, cut in hours, etc.

2. Income other than from employment or operation of business

None
☐

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT

SOURCE

Income in this category is often omitted. Tax refunds are rarely listed but should be. Income from pensions, IRAs, 401(k) distributions, gambling winnings, proceeds from the sale of assets, unemployment compensation, maintenance and/or child support, money gifts from relatives all should be listed here.

3. Payments to creditors

None
☐

a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATES OF
PAYMENTS

AMOUNT
PAID

AMOUNT
STILL OWING

Payments are frequently omitted, especially to secured creditors. Un-itemized responses such as "only payments in the ordinary course" are insufficient. Dates and amounts still owing are often omitted or are inconsistent with other schedules. Debt payments made to/thru credit counseling agency during 90 days pre-petition should be disclosed here if >\$600.

None
☐

b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR
AND RELATIONSHIP TO DEBTOR

DATE OF
PAYMENT

AMOUNT
PAID

AMOUNT
STILL OWING

Payments on co-signed debts involving insiders should be listed here.

4. Suits and administrative proceedings, executions, garnishments and attachments

None
☐

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT
AND CASE NUMBER

NATURE OF PROCEEDING

COURT OR AGENCY
AND LOCATION

STATUS OR
DISPOSITION

Frequently domestic dissolutions, criminal, personal injury suits, EEOC and small claims court proceedings (either pending or settled within a year pre-petition) are not listed. Information often incomplete - case no., court, etc. often omitted.

None
☐

- b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF PERSON FOR WHOSE
BENEFIT PROPERTY WAS SEIZED

DATE OF
SEIZURE

DESCRIPTION
AND VALUE OF
PROPERTY

Disclosure often incomplete: address of party receiving property often not disclosed and value is often omitted. Information should be consistent with info on Schedules A, B, D and F.

5. Repossessions, foreclosures and returns

None
☐

- List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF CREDITOR OR SELLER

DATE OF REPOSSESSION,
FORECLOSURE SALE,
TRANSFER OR RETURN

DESCRIPTION
AND VALUE OF
PROPERTY

6. Assignments and receiverships

None
☐

- a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF ASSIGNEE

DATE OF
ASSIGNMENT

TERMS OF
ASSIGNMENT
OR SETTLEMENT

None
☐

- b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF CUSTODIAN

NAME AND LOCATION
OF COURT
CASE TITLE & NUMBER

DATE OF
ORDER

DESCRIPTION
AND VALUE OF
PROPERTY

7. Gifts

None
☐

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS
OF PERSON
OR ORGANIZATION

RELATIONSHIP
TO DEBTOR,
IF ANY

DATE
OF GIFT

DESCRIPTION
AND VALUE
OF GIFT

Gifts to relatives and charitable contributions often not disclosed, including payments not traditionally thought of as gifts such as payments on vehicles, rent, insurance and tuition for adult children. Charitable contributions should be consistent with tax returns.

8. Losses

None
☐

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION
AND VALUE OF
PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND, IF
LOSS WAS COVERED IN WHOLE OR IN PART
BY INSURANCE, GIVE PARTICULARS

DATE OF
LOSS

Losses often not disclosed, especially gambling losses. Value of property, particulars of insurance coverage often omitted or incomplete.

9. Payments related to debt counseling or bankruptcy

None
☐

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS
OF PAYEE

DATE OF PAYMENT,
NAME OF PAYOR IF
OTHER THAN DEBTOR

AMOUNT OF MONEY OR
DESCRIPTION AND VALUE
OF PROPERTY

Include all payments for fees and costs (including filing fees) to Bankruptcy Petition Preparers and debt counselors, as well as to attys. Actual dates payments made and amounts paid need to be listed. Info should be consistent with fee disclosure statements but often is not.

10. Other transfers

None
☐

List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Transfers often omitted (sales of real property, transfers of assets to non-debtor spouse, relatives, etc.) or info incomplete, especially value received. Granting of security interests are rarely disclosed, particularly refinancings. Include any property pawned, loaned, given, sold or transferred in any manner.

Practice Point: Disclose the disposition of proceeds. Trustee will ask for accounting, so might as well provide it.

11. Closed financial accountsNone
☐

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
------------------------------------	--	--

Information FREQUENTLY omitted, or if disclosed, is often incomplete.

12. Safe deposit boxesNone
☐

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
--	---	-------------------------------	---

Description of contents often inadequate.

13. SetoffsNone
☐

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
------------------------------	-------------------	---------------------

14. Property held for another personNone
☐

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
------------------------------	--------------------------------------	----------------------

List vehicles titled in another's name if debtor has regular possession and use. Accounts held for the benefit of children (including certain college funds) or others should be disclosed.

15. Prior address of debtor

None
☐

If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS

NAME USED

DATES OF OCCUPANCY

Make sure date ranges of occupancy are consistent and complete.

Practice Point: Consider whether venue is proper given the applicable date ranges.

16. Spouses and Former Spouses

None
☐

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 **six-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.

NAME:

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None
☐

- a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME
AND ADDRESSNAME AND ADDRESS
OF GOVERNMENTAL UNITDATE OF
NOTICEENVIRONMENTAL
LAWNone
☐

- b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME
AND ADDRESSNAME AND ADDRESS
OF GOVERNMENTAL UNITDATE OF
NOTICEENVIRONMENTAL
LAW

None
☐

- c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS
OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR
DISPOSITION

18. Nature, location and name of business

None
☐

- a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NO. (EIN)	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
------	----------------------------	---------	--------------------	-------------------------------

Businesses are frequently omitted (especially ones that are not currently active, but were during 6 yrs. prior to petition). Info often incomplete (no TIN, no beginning and/or ending dates). Info not always consistent with Schedule B, questions 12 and 13 and Schedule I. Business debt often listed on Schedule F but no businesses listed here.

None
☐

- b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME

ADDRESS

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within the **six years** immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statementsNone
☐

- a. List all bookkeepers and accountants who within the **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

Often incomplete for debtors who operate, or have operated, businesses.

None
☐

- b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

ADDRESS

DATES SERVICES RENDERED

None
☐

- c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

ADDRESS

None
☐

- d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

NAME AND ADDRESS

DATE ISSUED

20. InventoriesNone
☐

- a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY
(Specify cost, market or other basis)None
☐

- b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN
OF INVENTORY RECORDS

21 . Current Partners, Officers, Directors and ShareholdersNone
☐

- a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS	NATURE OF INTEREST	PERCENTAGE OF INTEREST
------------------	--------------------	------------------------

None
☐

- b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS	TITLE	NATURE AND PERCENTAGE OF STOCK OWNERSHIP
------------------	-------	--

22 . Former partners, officers, directors and shareholdersNone
☐

- a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME	ADDRESS	DATE OF WITHDRAWAL
------	---------	--------------------

None
☐

- b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS	TITLE	DATE OF TERMINATION
------------------	-------	---------------------

23 . Withdrawals from a partnership or distributions by a corporationNone
☐

- If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT. RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
--	--------------------------------	--

24. Tax Consolidation Group.

None

☐

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION TAXPAYER IDENTIFICATION NUMBER (EIN)

25. Pension Funds.

None

☐

If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND TAXPAYER IDENTIFICATION NUMBER (EIN)

* * * * *

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date _____

Signature _____
of Debtor

Date _____

Signature _____
of Joint Debtor
(if any)

BEFORE SIGNING:

- **Make certain debtor(s) understand civil and criminal consequences of providing incomplete and inaccurate information.**
- **Never allow debtors to sign SOFA or Schedules in blank.**
- **Always allow debtors adequate time to review SOFA and Schedules before signing and provide them a printed copy.**
- **Make certain all questions/items are answered.**
- **If signed and dated in advance of the actual filing, review and correct for changes before filing.**
- **Review SOFA and Schedules as a single document and identify and correct any inconsistencies.**
- **Make certain SOFA and Schedules are consistent with other documents the trustee/UST are likely to review (tax returns, paystubs, etc.).**
- **If there are unusual facts and circumstances which you believe may have some bearing on a civil enforcement decision, consider sending the trustee and/or UST a copy of the SOFA and Schedules under explanatory cover letter.**

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 18 U.S.C. § 156.

United States Bankruptcy Court

_____ District Of _____

In re _____
Debtor

Case No. _____

Chapter 7

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

a. *Property to Be Surrendered.*

Description of Property

b. *Property to Be Retained*

This Statement should be consistent with Schedules A, B, D and G. Not uncommon to see vehicles listed here that don't appear elsewhere on the Schedules. Also, if choosing to "Retain and Pay" under Lowry Federal Credit Union v. West, 882 F.2d 1543 (10th Cir. 1989), clearly indicate that.

CAUTION: Under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, the availability of the option to "Retain and Pay" will change.

Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)

Date: _____

Descriptions often do not match descriptions on other schedules.

Signature of Debtor _____

CERTIFICATION OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document.

Printed or Typed Name of Bankruptcy Petition Preparer _____

Social Security No. _____
(Required by 11 U.S.C. § 110(c).)

Address _____

Names and Social Security Numbers of all other individuals who prepared or assisted in preparing this document.

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.

X _____
Signature of Bankruptcy Petition Preparer

_____ Date

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

United States Bankruptcy Court

_____ District Of _____

In re

Case No. _____

Debtor

Chapter _____

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ _____

Prior to the filing of this statement I have received \$ _____

Balance Due \$ _____

2. The source of the compensation paid to me was:

Practice Point: This Disclosure should be consistent with the response to SOFA #9. It should be amended from time to time until such time as the case is closed if additional funds are paid/given.

3. The source of compensation to be paid to me is:

☐ Debtor

☐ Other (specify)

4. ☐ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a other person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- a. Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- b. Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;
- c. Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR (Continued)

- d. Representation of the debtor in adversary proceedings and other contested bankruptcy matters;
- e. [Other provisions as needed]

6. By agreement with the debtor(s), the above-disclosed fee does not include the following services:

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceedings.

Date

Signature of Attorney

Name of law firm