

# CONSUMER BANKRUPTCY



## BANKRUPTCY INTAKE A GUIDE FOR CLIENTS

BK VIRTUAL ASSISTANT

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**T**his guide has been created to step you through the process of gathering and collecting all the detailed information that must be provided to prepare your bankruptcy petition. To provide you the best service possible, it is imperative for you to understand what information is being asked of you and to record it accurately. Intake forms that are incomplete or missing information will cause delays in the filing of your petition. We understand this is not an easy process and it will require an investment of your time. Your attorney is available to answer any questions you may have.

**W**hat do you do after you have retained an attorney but the credit collectors continue to call you? Provide the credit collector with the name and telephone number of your bankruptcy attorney. Do NOT provide any other information whatsoever. Allow your attorney to deal with the creditor.

This guide is broken into the following sections:

- 1) [Credit Counseling Requirement](#)
- 2) [Client Document Checklist](#)
- 3) [Resources and Contacts](#)
- 4) [Client Intake Instructions](#)

Your feedback is important. We welcome your comments and suggestions on the information contained in this document and the process to complete your bankruptcy.

Please take a few moments to read through this entire packet before you begin to fill in the intake form. If you find that you need extra space to complete the answers, please insert additional pages as needed.

Please do not hesitate to contact your attorney if you have any questions.

# CREDIT COUNSELING REQUIREMENT

**T**he law requires that consumers meet two (2) Credit Counseling requirements. The first must be completed prior to filing your bankruptcy and the second must be completed after filing but before your bankruptcy can be discharged.

The U.S. Trustees Group provides a list of approved Credit Counseling Agencies. You may refer to this list by visiting [http://www.usdoj.gov/ust/eo/bapcpa/ccde/cc\\_approved.htm](http://www.usdoj.gov/ust/eo/bapcpa/ccde/cc_approved.htm). Or, for your convenience, we have provided the contact information for the approved San Francisco Consumer Credit Counseling Center. Please contact the agency directly with your questions.

Upon completing each of the required courses, you will be issued a certificate. A copy of this certificate must be returned to your attorney to be filed with your petition. If after you complete the course and you do not receive your certificate, please contact the agency immediately.

Below, please find the San Francisco Consumer Credit Counseling Agency contact information.

## CONSUMER CREDIT COUNSELING SERVICE OF SAN FRANCISCO

[www.cccssf.org](http://www.cccssf.org)

### Main Address:

595 Market Street  
15<sup>th</sup> Floor  
San Francisco, CA 94105  
800-777-7526

### Delivery Method:

Internet: [www.cccssf.org](http://www.cccssf.org)  
Telephone: 800.777.7526

### In Person:

Consumer Credit Counseling Service of San Francisco  
595 Market Street Suite 1500  
San Francisco, CA 94105

# CLIENT DOCUMENT CHECKLIST

This is a handy checklist to ensure copies of required documents are submitted to your attorney's office. Any missing information may delay your bankruptcy filing. Original documents should always be kept in a safe place where you can easily find them. In the event the bankruptcy court requests original documents, my office will contact you.

HAVE	NEED TO GET	DOES NOT APPLY	DOCUMENTS
			Certificates of completed credit counseling requirement
			Six (6) months of paycheck stubs or bank deposits verifying all the income you received for the past six (6) months, plus current month.
			Titles to all motor vehicle(s) regardless of condition or if non-operational
			Recorded mortgage(s) and deed(s) on all property you own
			Evidence of the value of real estate, such as an appraisal, dated no later than one (1) year prior to filing bankruptcy
			Copies of Lawsuits or other legal proceedings you have been a party to within the past two (2) years
			Life Insurance policies
			Federal Income Tax returns for the past two (2) years
			Separation Agreements or Decrees of Dissolution or Divorce within the past two (2) years
			All documents relating to retirement accounts
			Security agreements, financing statements, and personal property leases
			Stock certificates, bonds, credit union and passbook checking/saving account statements verifying the value of all your investments or savings
			Credit Report – verify with your attorney if this will be necessary
			Documents verifying your interest in any 'future' property (i.e., Will or Estates)

# RESOURCES AND CONTACTS

In some cases, creditor contact information is missing or incomplete or statements are lost. This may require additional research. The following is a list of helpful resources and contacts to aid you in compiling your creditor contact information. In no way is this list complete and only reflects a summary of public resources available to assist you in your research efforts. We do not sponsor, endorse, or have any affiliation with any of the resources indicated.

Most contact information is linked to a web-site. If you do not have access to a computer with an internet connection, you might check with your local public library. Many libraries in the area provide workstations with internet connectivity free of charge. Contact your library directly to inquire about access, hours of operation, and availability.

RESOURCE	CONTACT INFORMATION
Annual Credit Report – centralized service for consumers to request free annual credit reports	<a href="https://www.annualcreditreport.com">https://www.annualcreditreport.com</a>
Consumer Credit Counseling - Required to be completed prior to filing your bankruptcy and prior to discharge	<a href="http://www.usdoj.gov/ust/eo/bapcpa/cc/de/cc_approved.htm">http://www.usdoj.gov/ust/eo/bapcpa/cc/de/cc_approved.htm</a>
Internal Revenue Service – nations tax collection agency	<a href="http://www.irs.gov/">http://www.irs.gov/</a>
National Information Line – toll-free information number to request creditor business number	1-800-555-1212
On-line search tool for creditor contact information	<a href="http://www.google.com">http://www.google.com</a> <a href="http://www.yahoo.com">http://www.yahoo.com</a>
On-line search tool for county public records	
True Credit – Credit Report containing creditors addresses and other detailed information	<a href="http://www.truecredit.com">http://www.truecredit.com</a>
Zip Codes – US Postal Service site to locate missing zip codes	<a href="http://www.usps.com">http://www.usps.com</a>

# CLIENT INTAKE FORM INSTRUCTIONS

Please review all instructions before completing the forms. Any missing or incomplete information will delay the processing of your bankruptcy petition. If you should have any questions, please do not hesitate to contact your attorney. In most cases, the instructions provided on the forms are self-explanatory. Key sections of the Intake Form have been noted below.

- No question on the Intake Form is to be left blank or un-answered. If additional space is needed, please insert additional sheets.
- All payments are to be recorded as the true and exact amount. Do not round to the nearest dollar. Do not guess.
- All names of people, places, or businesses are to be completely spelled out. No abbreviations.
- All contact information must include complete street number, street name, city, state, and zip code. Please refer to the Resources and Contacts sheet for suggestions to obtain this information.

## **INFORMATION FOR MEANS TEST**

The courts require that you provide verification of the total amount of income you earned for the last 6 months (current month plus the last 5 months). Even if your income has drastically increased or decreased over that period of time, the amount of income you received must be disclosed on the Means Test. Copies of all income statements must be made and submitted to your attorney.

NOTE: if you provided this information to your attorney at your consultation meeting, please verify information is accurate at the time you submit the Intake Forms.

## **HOUSEHOLD INVENTORY**

Everything you have in your possession, from the coffee pot to the house you live in is an asset. Even if you owe money to a creditor, the asset you are paying for is still in your possession and its value must be disclosed.

## CLIENT INTAKE FORM INSTRUCTIONS CONT.

### **MOTOR VEHICLES**

All vehicles (auto, RV, boat, motorcycle, etc.) must include year, make, model, mileage, and condition. This applies to all vehicles including non-operational.

### **DEBT SHEET**

All creditor information, including collection agencies, and last date charged on account(s) must be provided. If you do not know the exact last date charged, noting the year is sufficient. The last date charged is the actual date you last applied a charge to an account, not the last statement date.

It is extremely important that all debt and creditor contact information be accurate and complete. Without this information, the company you owe money to may not be properly notified by the court and the debt may not be eligible for discharge. This may delay the discharge of your bankruptcy case.

### **INCOME HISTORY**

Year-to-date income and gross income for the past two years must be reported. Year-to-date income should appear on your recent paycheck stub. If you have had more than one source of income during any one year, please combine the TOTALS from all sources of income and provide the total amounts in these fields. Please use the back side of this form or insert additional sheets if more room is needed to provide income details.

If you receive, or have received, another type of income (child support, unemployment, social security, pension, etc.) within the past two years, please provide the income details and totals for the current year and the past two years.

### **STATEMENT OF AFFAIRS**

These pages serve as a written statement concerning your current financial condition. Every question must be answered. Any unanswered question will cause a delay in the filing of your petition and you may need to provide a written statement that specifically answers missed questions.

## CLIENT INTAKE FORM INSTRUCTIONS CONT.

### **COURT DOCUMENTS**

If you have been involved in a court proceeding of any type within the past twelve (12) months, including a foreclosure, wage garnishment, traffic tickets, other fines, lawsuits, judgments for debt collection, etc. – the following information must be provided and can be obtained directly from the court pleading. Copies of these documents should be submitted to your attorney and are noted on the Client Document Checklist.

If you no longer have a copy of the court pleading that provides this information, please contact your attorney and request assistance in obtaining copies.

### **CONTRACTS**

Types of contracts you have may include cell phones, a lease for an automobile or even a contract you entered into with another party to pay back a debt. If this is the case, you must provide the following information:

- The date or year the contract began
- How many months the contract is for (term)
- How much you pay per month (installment payment)
- If you want to continue paying the contract or not assume the contract
- All details about the contract

## CLIENT INTAKE FORM INSTRUCTIONS CONT.



### PROCESS

The process to discharge your bankruptcy involves many steps and your participation in the process is required. Your participation is critical to the successful discharge of your bankruptcy case. Your attorney is here to help you during each step of the process.

Once the Intake Forms have been completed and submitted to your attorney, the process proceeds as follows:

1. Your bankruptcy petition is drafted and prepared for your final review and authorization.
2. Final petition is approved and filed with the court.
3. A Meeting of the Trustee (also called a 341 Meeting) is scheduled. You will be required to attend this meeting with your attorney. Meeting details (date, time, location) will be provided to you. If you are unable to attend this meeting, it is imperative that you contact your attorney immediately.
4. If there are no issues or court requests, the final Credit Counseling training must be completed and a copy of the certification must be submitted to your attorney.
5. If there are no issues or court requests, your case will move to be discharged.

Please do not hesitate to contact your attorney with any questions you may have regarding your case or if there are any changes to your current situation. We are here to assist you and to make this process as easy as we possibly can.