

Figeroux & Associates

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Bankruptcy Questionnaire

Many people believe that bankruptcy is a process where by you go to court and all your debts are discharged. In fact, there are two types of bankruptcies. Liquidation, Chapter 7 bankruptcy, where your debts are wiped out completely and Chapter reorganization bankruptcy, where you partially or fully repay your debts. Chapter 11 bankruptcy is for businesses and for individuals with debts over one million dollars. In general, a bankruptcy filing can be reported on your credit record for ten years, and all other negative information can be reported for seven but in about two years you can probably rebuild your credit to the point that you won't be turned down for a major credit card or loan.

OVERVIEW OF CHAPTER 7

This bankruptcy cancels most of your debts. In exchange, you might have to surrender some of your property. The process takes about three to six months and the court filing fees is \$175. Basically, you file a petition with several other forms with the bankruptcy court. The filing puts into effect something called an "automatic stay." The automatic stay immediately stops your creditors from trying to collect what you owe them. So, at least temporally, creditors cannot legally grab (garnish) your wages, empty your bank account, go after your car, house or other property, or cut off your utilities or welfare benefits.

The bankruptcy court assumes control of the property you own and the debts you owe on the date you file. Nothing can be paid or sold without the courts consent. The court controls your interest through a court appointed person called a "bankruptcy trustee." The trustee's main duty is to see that creditors are paid as much as possible on what you owe them. The more assets the trustee recovers for creditors the more the trustee is paid.

The first and only meeting you should attend is called the "creditors meeting" or "341 Hearing." At this meeting the trustee goes through your papers and asks a couple of questions. The meeting could be as short as five minutes. After this meeting, the trustee collects the property that can be sold (non exempt property) to be sold to pay your debts. At the end of the bankruptcy process, most of your debts are wiped out (discharged). Generally, you can ask the court to dismiss your case during the bankruptcy process, but you have to wait another 180 days if you want to file again.

OVERVIEW OF CHAPTER 13

There are many reasons to choose Chapter 13 bankruptcy instead of Chapter 7 bankruptcy. Here is a checklist of factors you that would suggest you choose Chapter 23 over Chapter 7:

You are behind on your mortgage or car loan and want to

make:

missed payments over time and reinstate the original agreement

You have a tax debt and you did not meet the five conditions required for chapter 7 discharge.

You want to repay your debts, but you need the bankruptcy court's assistance.

You need help repaying your debts, but want the option of filing for Chapter 7 bankruptcy in the future.

You have valuable nonexempt property.

You received a Chapter 7 discharge within the previous six years. You cannot file for Chapter 7 again until the six years are up.

You have a codebtor on a personal debt.

Are you interested in more information or would like to file for bankruptcy? YES NO, If yes, please complete the following and we will send more information or contact you for a consultation.

Name:

Address:

City: State: Zip Code:

Tele-Home:

Are you interested in a consultation on the legal issues listed below? Then please check your choice(s) below and we will schedule a meeting with an attorney.

Tax & Financial Planning For Individuals & Businesses

Save Your Home From Foreclosure

Estate Planning & Wills

How to get a green card

COMMENTS: _____

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Bankruptcy Consultations are Conducted either Live or Video Conference

NAME	CONSULTATION FEE PAID:	
ADDRESS	REFERRED BY:	
CITY:	STATE:	ZIP:
HOME TEL#:	CELL/OTHER TEL#	DATE:
Email:	SPOUSE NAME IF ANY:	
SOCIAL SECURITY #:	DATE OF BIRTH:	DATE OF MARRIAGE:
YOUR EMPLOYER NAME:	TELEPHONE #:	
HAVE YOU EVER FILED BANKRUPTCY BEFORE? YES OR NO - IF YES WHEN:		
<p>In accordance with the new Bankruptcy laws each debtor is required to provide us with the information below. Please be advised that if you do not provide us with the information within the time frame required by the United States Bankruptcy Courts, your petition will be dismissed. This dismissal is not a function of the Law office of Figeroux & Associates. All dismissals are done by the United States Bankruptcy Court.</p> <p>* Credit Report - This office will obtain your credit reports for you through First American Credco. Individual \$28.00 - Joint with spouse \$48.00, we will require the use of your personal information.</p> <p>* Names, addresses and account numbers of all creditors of the debtor that will be included in the Bankruptcy</p> <p>* Tax Returns/Transcripts (2 years), prior to bankruptcy filing.</p> <p>* Retirement Statements (1 year)</p> <p>* Pay Stubs/Income Info for 6 months (also include spouse and all earnings in household)</p> <p>* Unemployment, Workers Compensation, Child Support and Social Security Statements if Applicable</p> <p>* Bills (most recent)</p> <p>* Mortgage and Deed</p> <p>* Court Proceedings Filed Against You</p> <p>* Credit Counseling Certificate - You must complete the credit Counseling Course prior to filing your bankruptcy petition with the Court, which is not included in the retainer. (Institute of Financial Literacy: 207-879-0389, www.financiallit.org)</p> <p>* Debtor Management Course: You must also complete the Debtor Management Education Course within the sixty (60) days after your meeting of the creditors (Section 341 meeting) to complete the bankruptcy petition process. There is a \$55.00 fee payable to Springboard which is not included in our retainer.</p> <p>* Insurance Declaration (home & auto)</p> <p>* Copy of Driver's License and SS</p> <p>* Past six (6) months of all checking and savings accounts statements. You may also be required to provide the past two years if requested by the U.S. Trustee's Office.</p> <p>* Any and all credit card statements that are included in your bankruptcy petition. You may be required to provide the past two past two (2) years if requested by the U.S. Trustee's Office.</p>		
REAL ESTATE:		
If you own real estate (a home , a second home, a cabin, a mobile home, a time share, an interest in anyone's else's property) you will be required to provide us with a copy of deeds relative to such real property.		
WE MAY REQUIRE THAT A TITLE SEARCH OF YOUR PROPERTY BE DONE. ANY COSTS ASSOCIATED WITH A TITLE SEARCH ARE OVER AND ABOVE YOUR RETAINER AGREEMENT.		
ATTORNEY NOTES:		
ATTORNEY FEES:	CHAPTER: 7 OR 13	

RECEIPT FOR PAYMENT OF CONSULTATION FEE IN LIEU OF RETAINER

This acknowledges payment to Figeroux & Associates, a fee of \$_____ as payment in full for their time and evaluation pursuant to a consultation on: _____, 201____. At the consultation, Figeroux & Associates relied on the answers to the questions/comments completed by me above, together with my oral comments.

At this time, I have decided to neither hire nor to retain the legal services of Figeroux & Associates. Further, Figeroux & Associates decided not to accept my case at this time. Figeroux & Associates is under no obligation whatsoever to represent any of the parties mentioned in the attached questionnaire. This is very important because I understand there may be time deadlines associated with the legal objectives sought and the benefits that may be obtained.

If a decision is reached within the next 30 days to employ the services of Figeroux & Associates, the payment for today's consultation will be credited toward the additional legal fees expected to be paid for Figeroux & Associates services.

By: Figeroux & Associates

Consultee's Signature

Please provide the documents listed above and the completed COMPREHENSIVE INTAKE form on ____/____/____, your next consultation date.