

BANKRUPTCY DATA FORM

PREPARED FOR: **ROBERT A. SCHWARTZ, ESQ.**
 2468 EAST HENRIETTA ROAD
 ROCHESTER, NEW YORK 14623
 585/334-4270
 FAX: 585/334-4275
 E-Mail: rschwartz@rschwartzlaw.com
 Website: rschwartzlaw.com

NAME: _____
 (Please include middle initial)

CODEBTOR: _____
 (Please include middle initial)

OTHER NAMES USED BY EITHER DEBTOR OR CODEBTOR IN LAST SIX (6) YEARS:

MARITAL STATUS: _____

DEPENDENTS:	_____	AGE:	_____
	_____		_____
	_____		_____

CURRENT ADDRESS: _____

PREVIOUS ADDRESSES: (If lived at current address less than 3 years)

PHONE NUMBERS: **Home:** _____ **Work:** _____
 Cell: _____

E-MAIL ADDRESSES: DEBTOR: _____

CODEBTOR: _____

SOCIAL SECURITY NO.:
DEBTOR: _____

CODEBTOR: _____

Has either Debtor or Co-Debtor previously filed Bankruptcy?

Yes _____ No _____

If so, list case number and date: _____

EMPLOYMENT: (DEBTOR)

Name, Address and Dates of Current Employer

PRESENT OCCUPATION: _____

Name, Address and Dates of Previous Employers for past two (2) full calendar years:

Please provide paystubs for last six (6) months or statement from employer regarding payroll for last six (6) months and W-2 for last two (2) years and tax returns for last two (2) years.

Have you ever owned or had an ownership interest in a business?

If so, list name, address, interest, dates and present status of business.

EMPLOYMENT: (CODEBTOR)

Name, Address and Dates of Current Employer

PRESENT OCCUPATION: _____

Name, Address and Dates of Previous Employers for past two (2) full calendar years:

Please provide paystubs for last six (6) months or statement from employer regarding payroll for last six (6) months, W-2 for last two (2) years and tax returns for last two (2) years.

Have you ever owned or had an ownership interest in a business?
If so, list name, address, interest, dates and present status of business.

OTHER INCOME:

SOCIAL SECURITY: _____

DISABILITY: _____

CHILD SUPPORT OR MAINTENANCE: _____

OTHER: _____

ASSETS:

Real Estate-list property address, date purchased, purchase price, present value, liens: Please bring in 1) copy of deed, 2) copy of mortgages, 3) current mortgage statements, 4) appraisal, if available.

Property Address: _____

Date Purchased: _____

Purchase Price: _____

Present Value: _____

Mortgage Holder(s): _____

Mortgage Balance(s): _____

Automobiles, trucks, motorcycles, boats, campers
Please provide the following information for each vehicle
(BRING IN TITLE OR COPY)

Owner: _____

Year: _____ **Make:** _____ **Model:** _____

Package (i.e.: LE, SE, LX, etc.): _____

Date Purchased: _____

Mileage: _____

Extras: _____

Value: _____ **Lienholder:** _____

Owner: _____

Year: _____ **Make:** _____ **Model:** _____

Package (i.e.: LE, SE, LX, etc.): _____

Date Purchased: _____

Mileage: _____

Extras: _____

Value: _____ **Lienholder:** _____

**Pension, 401K, Profit Sharing Plans-list name of plan and present value
(BRING IN CURRENT STATEMENT)**

**Bank accounts-list bank name, address, account number and balance for
all current accounts or accounts closed in last year.**

**Household Furnishings-estimated household or garage sale value:
Please list below by category the furniture, appliances, electronics,
or other furnishings you own with an estimated household or garage
sale value.**

Furniture- (for example # of beds, couches, tables etc).

Item	Value
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Appliances (for example stove, refrigerator, washer and dryer).

Item	Value
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Electronics:

**For example computers, televisions, VCRs, DVD players, CD players etc.
For computers and TVs indicate type and age.**

Item	Value
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

Clothing-estimated household or garage sale value: _____

Other miscellaneous personal property including jewelry, guns, collectibles and inheritances.

Item	Value
_____	_____
_____	_____
_____	_____
_____	_____

Stocks, bonds, life insurance cash value, IRA'S-list name, date purchased, title holder and value

Any other property owned:

DEBTS:

- 1. Tax liabilities-Provide tax return and latest statements.**
- 2. Student loans-provide loan papers and most current statement.**
- 3. Secured debts-fill in creditor form-Schedule D-bring in latest statements**
- 4. Priority debts-fill in creditor form-Schedule E-bring in latest statements**
- 5. Unsecured debts-fill in creditor form Schedule F-bring in latest statements**

PENDING LAWSUITS, GARNISHMENTS OR REPOSSESSIONS.

Please provide as much information as you have along with copies of legal papers.

WHAT TO BRING TO YOUR APPOINTMENT:

- 1) **This completed data form;**
- 2) **Real estate documents-deed, mortgage, mortgage statements, appraisal;**
- 3) **Car titles;**
- 4) **Paystubs for last six (6) months or payroll information;**
- 5) **Tax returns and W-2's for last two (2) years.**

SCHEDULE D-CREDITORS HOLDING SECURED CLAIMS
Such as Mortgages, Home Equity Loans, Car Loans, Judgments

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Property Secured by Lien: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Property Secured by Lien: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Property Secured by Lien: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Property Secured by Lien: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Property Secured by Lien: _____
Balance Due: _____

SCHEDULE E-CREDITORS HOLDING UNSECURED PRIORITY CLAIMS
Such as Unpaid Income or Property Taxes, Child Support

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Balance Due: _____

SCHEDULE F-CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS:

Such as Credit Cards, Personal Loans, Lines of Credit, All Other Debt

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____

Creditor Name: _____

Address: _____

Type of Obligation: _____

Date Debt Incurred: _____

Date Last Used if Credit Card or Line of Credit: _____

Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Date Last Used if Credit Card or Line of Credit: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Date Last Used if Credit Card or Line of Credit: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Date Last Used if Credit Card or Line of Credit: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Date Last Used if Credit Card or Line of Credit: _____
Balance Due: _____

Account No.: _____
Creditor Name: _____
Address: _____

Type of Obligation: _____
Date Debt Incurred: _____
Date Last Used if Credit Card or Line of Credit: _____
Balance Due: _____

CURRENT MONTHLY EXPENSES

Rent or home mortgage payment (include lot rent for mobile home)	\$ _____
If not included in above:	
Real Estate Taxes	\$ _____
Property, Homeowners, or Renters Insurance	\$ _____
Home Maintenance, Repair & Upkeep Expenses	\$ _____
Homeowner's Association or Condominium Dues	\$ _____
Additional Mortgage Payments for Your Residence (Such as home equity loans)	\$ _____
Utilities:	
Electricity	\$ _____
Water, Sewer, Garbage Collection	\$ _____
Telephone, Cell Phone, Internet, Satellite and Cable Services	\$ _____
Other (Specify) _____	\$ _____
Food and Housekeeping Supplies	\$ _____
Childcare and children's education costs	\$ _____
Clothing, laundry, and dry cleaning	\$ _____
Personal care products and services	\$ _____
Medical and dental expenses	\$ _____
Transportation (include gas, maintenance, bus or train fare; do not include car payments)	\$ _____
Entertainment, clubs, recreation, newspapers, magazines and books	\$ _____
Charitable contributions and religious donations	\$ _____
Insurance (do not include insurance deducted from pay)	
Life Insurance	\$ _____
Health Insurance	\$ _____
Vehicle Insurance	\$ _____
Other Insurance (specify) _____	\$ _____
Taxes (do not include taxes deducted from pay)	
Specify: _____	\$ _____
Installment or Lease Payments:	
Car Payment for Vehicle 1	\$ _____
Car Payment for Vehicle 2	\$ _____
Other (Specify) _____	\$ _____
Other (Specify) _____	\$ _____
Alimony, Maintenance, and support paid to others	\$ _____
Other payments you make to support others who do not live with you (Specify) _____	\$ _____
Regular expenses from operation of business, profession, or farm (Attach detailed statement)	\$ _____
Other	
Car Maintenance	\$ _____
Gifts	\$ _____

BANKRUPTCY INFORMATION SHEET

BANKRUPTCY LAW IS A FEDERAL LAW. THIS SHEET PROVIDES YOU WITH GENERAL INFORMATION ABOUT WHAT HAPPENS IN A BANKRUPTCY CASE. THE INFORMATION HERE IS NOT COMPLETE. YOU MAY NEED LEGAL ADVICE.

WHEN YOU FILE BANKRUPTCY

You can choose the kind of bankruptcy that best meets your needs (provided you meet certain qualifications):

Chapter 7 – A trustee is appointed to take over your property. Any property of value will be sold or turned into money to pay your creditors. You may be able to keep some personal items and possibly real estate depending on the law of the State where you live and applicable federal laws.

Chapter 13 – You can usually keep your property, but you must earn wages or have some other source of regular income and you must agree to pay part of your income to your creditors. The court must approve your repayment plan and your budget. A trustee is appointed and will collect the payments from you, pay your creditors, and make sure you live up to the terms of your repayment plan.

Chapter 12 – Like chapter 13, but it is only for family farmers and family fishermen.

Chapter 11 – This is used mostly by businesses. In chapter 11, you may continue to operate your business, but your creditors and the court must approve a plan to repay your debts. There is no trustee unless the judge decides that one is necessary; if a trustee is appointed, the trustee takes control of your business and property.

If you have already filed bankruptcy under chapter 7, you may be able to change your case to another chapter.

Your bankruptcy may be reported on your credit record for as long as ten years. It can affect your ability to receive credit in the future.

WHAT IS A BANKRUPTCY DISCHARGE AND HOW DOES IT OPERATE?

One of the reasons people file bankruptcy is to get a “discharge.” A discharge is a court order which states that you do not have to pay most of your debts. Some debts cannot be discharged. For example, you cannot discharge debts for–

- most taxes;
- child support;
- alimony;
- most student loans;
- court fines and criminal restitution; and
- personal injury caused by driving drunk or under the influence of drugs.

The discharge only applies to debts that arose before the date you filed. Also, if the judge finds that you received money or property by fraud, that debt may not be discharged.

It is important to list all your property and debts in your bankruptcy schedules. If you do not list a debt, for example, it is possible the debt will not be discharged. The judge can also deny your discharge if you do

something dishonest in connection with your bankruptcy case, such as destroy or hide property, falsify records, or lie, or if you disobey a court order.

You can only receive a chapter 7 discharge once every eight years. Other rules may apply if you previously received a discharge in a chapter 13 case. No one can make you pay a debt that has been discharged, but you can voluntarily pay any debt you wish to pay. You do not have to sign a reaffirmation agreement (see below) or any other kind of document to do this.

Some creditors hold a secured claim (for example, the bank that holds the mortgage on your house or the loan company that has a lien on your car). You do not have to pay a secured claim if the debt is discharged, but the creditor can still take the property.

WHAT IS A REAFFIRMATION AGREEMENT?

Even if a debt can be discharged, you may have special reasons why you want to promise to pay it. For example, you may want to work out a plan with the bank to keep your car. To promise to pay that debt, you must sign and file a reaffirmation agreement with the court. Reaffirmation agreements are under special rules and are voluntary. They are not required by bankruptcy law or by any other law. Reaffirmation agreements—

- must be voluntary;
- must not place too heavy a burden on you or your family;
- must be in your best interest; and
- can be canceled anytime before the court issues your discharge or within 60 days after the agreement is filed with the court, whichever gives you the most time.

If you are an individual and you are not represented by an attorney, the court must hold a hearing to decide whether to approve the reaffirmation agreement. The agreement will not be legally binding until the court approves it.

If you reaffirm a debt and then fail to pay it, you owe the debt the same as though there was no bankruptcy. The debt will not be discharged and the creditor can take action to recover any property on which it has a lien or mortgage. The creditor can also take legal action to recover a judgment against you.

IF YOU WANT MORE INFORMATION OR HAVE ANY QUESTIONS ABOUT HOW THE BANKRUPTCY LAWS AFFECT YOU, YOU MAY NEED LEGAL ADVICE. THE TRUSTEE IN YOUR CASE IS NOT RESPONSIBLE FOR GIVING YOU LEGAL ADVICE.

Se dispone de una copia de este documento traducida al español.

Một bản dịch của tài liệu này hiện có bằng tiếng Việt.

Une copie de ce document est disponible en traduction française.

本文件有繁體中文譯本。

이 서류는 한국말로 된 사본도 있습니다.

Daim ntawv no muaj txhais ua lus Hmoob.

Ang isinalin na kopya ng dokumentong ito ay maaaring makuha sa Tagalog.

يمكن الحصول على نسخة مترجمة بالعربية لهذه الوثيقة.