

Frequently Asked Questions (FAQ's)

For the average person there are a myriad of myths surrounding Bankruptcy which tend to cause some confusion. Listed below are some commonly asked questions regarding bankruptcy. Our firm has represented individuals from all walks of life and from our experience we understand there are circumstances which cannot be controlled.

Did you know most people do not want to file Bankruptcy due to embarrassment?

Will I lose my home?

Generally speaking no, it depends on the amount of equity in the residence and the ability of the Debtor to continue making the mortgage payments.

What if I am behind on my payments?

Generally we are able to restructure this providing you can bring your payments up to date and keep them current.

Will I lose my car?

Generally speaking no, it depends on the amount of value the automobile may have, and the amount owed on the vehicle. Suffice it to say if a car is financed the lender will usually be more than happy to allow the debtor to keep the car, if the payments are made.

Will I lose my personal property?

Generally speaking no, the average person may keep their furniture, clothing and jewelry. This does not apply however if the Debtor has expensive antiques, art work, or rare jewelry.

Information and Questionnaire package

Remember we are here to help, if you are considering any form of bankruptcy please take the time to fill out our package. We can schedule a consultation with you at your convenience.

Education Cal State University San Bernardino

Undergraduate Degrees Bachelor of Arts Music;
Bachelor of Arts French;

Law School University of La Verne

Outside Activities Volunteer Work for San Diego,
Volunteer Lawyer's Association;
Member North County Bar Association;
Member San Diego County Bar Association;
Board of Director for Diversionsary Theater;

Experience Dated of Admission to State Bar: 1992

Bankruptcy Number of cases retained and completed:
A. Chapter 7: Between 75-100 per year, Chapter 7;
B. Chapter 13: Between 3-10 per year, Chapter 13;
C. Adversarial Complaint's: 5-10 per year;
D. Chapter 11 Proceeding's: 5 total since in practice;
E. Trail Work: Preparation

Real Estate: Number of cases retained and completed:
Complaints to Quiet Title:
A. 2 per year;
B. Lis Pendens Hearings 3-4 per year;
Homeowner/Condominium Litigation
A. One case approximately 20 hearings;

Breach of Contract: Number of cases retained and completed:
Breach of Contract:
A. 2-3 per year;

Criminal: Number of Cases retained and completed:
A. 5-10 per year, Drunk Driving, Assault, Battery, Theft
Crimes
B. Number of Hearings 3-5 per month;

Information and Questionnaire package

Remember we are here to help, if you are considering any form of bankruptcy please take the time to fill out our package. We can schedule a consultation with you at your convenience.

Please fill out this questionnaire and submit the following:

- A. Your most current statements & bills from **"ALL"** your creditors;
- B. Any bank or credit union statements, etc.;
- C. A copy of your pay stubs for the last full month;**
- D. Letters from any collection agencies, attorneys', etc.;

There is **one** court hearing and you will need to bring the following:

- A. Your original Social Security Card
- B. Proof of car insurance, title & registration for all vehicles
- C. A copy of your last years' income taxes.

Include this sheet with package – This is your cover sheet

Name _____

Today's Date _____

Telephone _____

Address _____

Bankruptcy Questionnaire

1 Marital Status (**Please circle one.**) Single, Married, Divorced, Widowed or Separated. If you are married, are you filing Individually or Jointly? (**Please circle one.**)

2 State your full name, your spouse's full name, and any other names you have used.

Your full name _____

Spouse's full name _____

3 State your social security number and your spouse's social security number.

_____ Your SSN

_____ Spouse's SSN

4 State the name, age and relationship of all of your dependents.

Name

Age

Relationship

5 State the employer for both you and your spouse. Plus the name, address, position, and length of employment with present employer.

Your employer _____

Spouse's employer _____

6 Do you own or have any interest in real property? **Please circle Yes or No.** If Yes, state the address of all Real Property you presently own or have an interest in and its' present value. If you own real property, you must provide this office with a copy of the the estimation of its deed.

7 If you own real property, do you currently have a Homestead Declaration recorded on the property? **Please circle Yes or No.** If Yes, you must provide this office with a copy of the recorded Homestead.

8 Indicate each checking and/or savings account you have had in the last two (2) years. List the name, address, bank branch name and account number for each account.

Name

Address

Branch Number

Account Number

9 Indicate the **Year, Make, Model** and **License Number** of each automobile you own and an estimation of its present value.

Year

Model

Make

License Plate

Value

Bankruptcy Questionnaire

10 State all addresses at which you have resided during the last six (6) years and approximate dates of each residence.

11 Amount of State and Federal Tax Refunds received during the last two (2) years, if any, and amount of any expected tax refund you have yet to receive, if any.

Federal Tax	State Tax	Other Tax Refunds Expected
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12 State the name of the court, location of the court, title of case and case number to any lawsuit in which you are now or has been a party to within the last year, either as a Plaintiff or Defendant.

Court Name	Court Location	Case Number	Case Title
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13 State the name and address and phone number of any party who has repossessed any property from you within the last year and a description of the property that was repossessed.

Name	Address	Telephone	Property Description
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14 Please state the name, address and telephone number of any attorney you have consulted or paid money to within the last year.

Name	Address	Telephone
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15 Identify any property you currently own which you believe is secured (These are properties which creditors will take back if you do not pay for: such as a car, furniture, real property, etc).

16 List the name, age and relationships of **ALL** of your dependents plus whether or not they currently live with you.

Name	DOB	Age	Sex	Residing at:
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Bankruptcy Questionnaire

18 For dependents who are not residing with you, do you support them or assist them with their monthly expenses such as college and other expenses? If so state how much you contribute to their monthly expenses.

19 Do you pay spousal support and/or child support at this time? Ifso, please list the name, address, telephone number and social security number for the person to whom the support is paid to, the amount of support paid and for whom the support is for.

20 For both you and your spouse, fill out the following and provide a copy of your three (3) most recent paycheck stubs.

YOU

Employer _____
 Address _____
 Telephone _____ Length of
 Job Title _____ Employ _____

Paid: Salary
 Hourly Number of Hours per period _____ Pay per period _____
 Pay Period: Weekly Semi Monthly
 Every 2 Weeks Monthly Other _____

Gross Monthly Wages _____
Deductions: Federal Taxes \$ _____
 Social Security \$ _____
 Union Dues \$ _____
 Credit Union Deductions \$ _____

Net Monthly Wages _____
 State Taxes \$ _____
 Health Ins \$ _____
 Retirement \$ _____
 Other \$ _____
TOTAL DEDUCTIONS \$ _____

SPOUSE

Employer _____
 Address _____
 Telephone _____ Length of
 Job Title _____ Employ _____

Paid: Salary
 Hourly Number of Hours per period _____ Pay per period _____
 Pay Period: Weekly Semi Monthly
 Every 2 Weeks Monthly Other _____

Gross Monthly Wages _____
Deductions: Federal Taxes \$ _____
 Social Security \$ _____
 Union Dues \$ _____
 Credit Union Deductions \$ _____

Net Monthly Wages _____
 State Taxes \$ _____
 Health Ins \$ _____
 Retirement \$ _____
 Other \$ _____
TOTAL DEDUCTIONS \$ _____

Bankruptcy Questionnaire

21 State the amount of income you and your spouse have received from your trade or profession during the last three (3) calendar years.

	Year	You	Your Spouse
Current Year	()	\$ _____	\$ _____
Prior Year	()	_____	_____
2nd Prior Year	()	_____	_____

22 If you or your spouse are currently receiving Social Security Benefits, Retirement Benefits, and/or Disability Benefits, please state the monthly amount received, and the date (month/day/year) on which you started receiving these benefits.

	You		Your Spouse	
	Year	Amount	Year	Amount
Social Security Benefits \$	_____	_____	_____	_____
Retirement Benefits \$	_____	_____	_____	_____
Disability Benefits \$	_____	_____	_____	_____

23 Do you or your spouse receive any type of spousal and/or child support payments for any person(s) whom you claim as being one of your dependents? If yes, state the person's name, address, and current telephone number of person paying such support. Also state amount received per month.

24 Do you or your spouse have any type of Retirement Benefits through your employment? If yes, state the name, address and any identification number of any pension and/or Retirement Plans and/or 401K plans and what is the approximate value of the benefits.

It is very important that we have the correct information to prepare the Bankruptcy Petition for you. Should you be omitting a creditor from this list or failing to show the correct balance owed, it could lead to you being required to pay creditors you fail to list in your bankruptcy petition. You must provide the information requested on the form. Copies of your most recent statements from your creditors must also be submitted to this office.

Please list the Names, Addresses, Zip Codes and Account Numbers for each creditor you owe on the attached Detailed Listing of Creditors sheets. Also you!!!!!!! indicate what the charges were for; credit card charges, medical expenses, loans and the like. If the debts are concerning Mortgages that you have on your home, please state the date that you acquired the property, the original amounts of the loans, and what debts are currently owed against the property. This information is needed for any loans or leases you have for your vehicle(s) also.

If you have any questions concerning the information you need to list, please contact this office Thank you!

Bankruptcy Questionnaire

25 This area is to be used if extra space is needed to complete information for Questions 1 through 24.

Bankruptcy Questionnaire

PLEASE LIST ANY PERSONAL PROPERTY AND IT'S ESTIMATED VALUE

Clients Name: _____

Bankruptcy Questionnaire

I declare that I have read the questions above, inserted the correct answers contained in the foregoing questionnaire and that said answers are true and correct to the best of my knowledge, information and belief.

Executed on _____, 2_____

X

Signature Client #1

X

Signature Client #2