

CONSUMER BANKRUPTCY CHECKLIST

- Chapter 7
- Chapter 13 (Unsecured debts under \$250,000, secured debt under \$750,000, disposable income sufficient to fund plan)

1. JURISDICTION

- Resided in district for the majority of last 180 days before filing
- Previous Chapter 7 filing (Date: _____)
- Venue

2. IDENTIFY ALL DEBT

- Non-dischargeable debt
 - Student loans
 - Date first payment due and payment history determined
 - Tax debt
 - Date of filing or assessment determined
 - Fines / penalties
 - Fraud, intentional, DUII, fiduciary duty, etc.
 - Restitution
 - Child / spousal support
 - Other _____
- Business Debt
 - Business still operating
 - Corporation / partnership or solo
- Marital dispute / separation or divorce pending or imminent
 - Spouse / ex-spouse as creditor
- Unsecured priority creditors (CLIENT TO PROVIDE LIST)
 - Taxes, employee withholdings
 - Deposits for others
 - Wages of employees
 - Other _____
- Unsecured non-priority creditors (CLIENT TO PROVIDE LIST)
 - Name / addresses / amount owed
 - Judgments / lawsuits pending
 - Preference payments to any creditors
 - Co-signors, joint debtors identified
 - Business or consumer
 - Liquidated or unliquidated
 - Disputed
 - Guarantees
- Secured creditors (CLIENT TO PROVIDE LIST)
 - Names / addresses

- Value of secured property
- Value of security interest
- Any unsecured portion
- Debtor's intent regarding secured property
- Business or consumer property secured
- Judgments
- Garnishments

3. ASSETS

- All assets identified
- Joint or common property identified
 - Real property
 - Personal property (all objects owned)
 - Items held for debtor by third party
 - Items held by debtor for third party
 - Other tangible personal property:
 - Cash
 - Bank / brokerage / credit union accounts
 - Stocks / bonds / investments
 - Interest in closely held business / corporation
 - Tax, rental, or other refunds
 - Pension / retirement / stock options
 - Other _____
 - Intangible property
 - Claims by debtor against third parties
 - Earned but unpaid wages due debtor from employer
 - Inheritance
 - Assets not yet acquired, but acquisition imminent – dates established
 - Executory contracts
 - Other _____

4. EXEMPTIONS

- Homestead / mobile home
- Books, pictures, musical instruments
- Wearing apparel, jewelry
- Tools of trade
- Vehicles
- Animals
- Household goods
- Public property
- Health aids
- Spousal / child support

- Victim's assistance
- Personal injury claim / future earnings
- Miscellaneous exemption
- Public benefits, i.e., Social Security, Workers' Compensation, Welfare
- Public benefits deposited in bank less than \$7,500
- Wages
- Retirement plans / pensions / stock options
- Firearms
- Other _____

5. ATTORNEYS

- All attorneys identified
- Attorney fees disclosed
- Attorney fees shared
- Funds in attorney trust accounts

6. STATUS OF DEBTOR

- Income – all sources
- Specific expenses / disposable income established
- Judgment proof?

7. EFFECTS OF BANKRUPTCY

- Credit
- Existing contracts / mortgages
- Automatic stay
- Preferences / fraudulent conveyances
- Wage Payments
- Payment to creditors
- Other _____