

## **LAW OFFICES OF MICHAEL O. HAYS**

Please read and complete this questionnaire.

In order to get your case filed as quickly as possible it is important that you fill out this questionnaire completely and provide me with the following:

### **WHAT TO BRING**

#### **REGARDING YOUR DEBTS:**

Bring a current credit report and any bills that are not on the report. Include bills that you intend to keep paying, such as mortgages and car payments.

I do not need your month-to-month bills for your current utilities.

Please do not bring a pile of unopened or disorganized bills, or multiple copies of the same bill. Debts are frequently sold from one collection agency to another and it is sufficient to list the most recent one and discard the rest.

#### **REGARDING YOUR INCOME:**

- 1.) **IF YOU ARE EMPLOYED:** I will need a copy your employment pay stubs for the last six months.
- 2.) **IF YOU ARE SELF-EMPLOYED:** Proof of net income, pre-tax earnings after deducting all expenses related to earning the income, for the last six months.
- 3.) **ANY OTHER INCOME: (Social Security, Retirement, etc.)** I will need a copy of the check or if it is directly deposited into an account, I will need a copy of the bank statement showing the deposit.
- 4.) For **ALL debtors** I need to see your **tax returns for 2008 and 2009**, unless you are not required to file a return.

### **ATTORNEY FEES**

Your consultation is free.

The fee to retain my services is \$100.00.

This payment allows you to inform creditors that you have hired an attorney and that you have a pending bankruptcy.

Once you have retained my services, you can give the creditors our Creditors' Line Telephone number of (530) 895-8730, where they can call to verify that I have been hired. The \$100.00 retainer is applied to your total bankruptcy fee.

**CHAPTER 7**

Attorney fee: Individual: \$1,100.00  
Joint: \$1,200.00  
Court Fee: \$299.00

**CHAPTER 13**

Attorney fee: \$3,500.00 (Business cases: \$4,500.00)  
Court fees: \$274.00

A total of \$1,274.00 has to be paid for a Chapter 13 to be filed (foreclosures are \$1,774.00). The balance of my fee is paid to me by the Chapter 13 Trustee as you make your monthly payment to the Trustee.

Rush jobs, current garnishments, delays, complex and or business cases may be charged more. If your income is close to the limit that allows you to be in Chapter 7, there is an additional \$500.00 fee for my work related to your income. If you are in need of filing quickly, let me know and we can discuss payment options

**Once I have been hired, payments to my office toward my fee are nonrefundable even if you change your mind.**

**ADDITIONAL INFORMATION**

If meeting at my office is difficult due to working hours or physical limitations, mail in the documents and I will call you at home.

People with low or moderate incomes are eligible for a Chapter 7, which is a discharge of your unsecured debts, such as credit cards and medical bills.

People with higher incomes must file a Chapter 13, which requires a monthly payment to be made through the office of the Chapter 13 Trustee toward your debts for a period of 36-60 months (the exact repayment schedule will depend on your income) in order to pay off a percentage of your debts.

At the end of that 36-60 month period, you will be relieved of having to pay what remains of your debts and receive a discharge for the remaining percentage.

The word "discharge" means you have been relieved of having to pay the debt. The debts are NEVER erased or dropped from your credit report in the months after your bankruptcy. In a literal sense, the debts are

still owed but the creditors have been legally barred from trying to make you pay the bills. After 7 to 10 years the credit reporting agencies will drop the bills from your credit report. I am NOT responsible for how debts are reported or characterized in your credit report. You are free to correspond with the credit reporting agencies and disagree with and or attempt to correct information that is in your credit report.

## **2 OPTIONS FOR OBTAINING A CREDIT REPORT**

1. Community Housing and Credit Counseling in Chico (530)891-4124. They charge \$20.00 (payable by money order only) for a credit report. Please call to see if you need an appointment.

2. Online at: [www.annualcreditreport.com](http://www.annualcreditreport.com) This is a government web sight where you can get a free copy once a year of your credit report. Enter at "Start Here."

Make sure that any credit report you get provides addresses for the creditors, this is necessary to get your case filed.

**If you have any further questions please visit our website at:  
[www.mhayslaw.com](http://www.mhayslaw.com)**

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**Bankruptcy Questionnaire**

Office use only:			
S	<input type="checkbox"/>	J	<input type="checkbox"/>
FP	<input type="checkbox"/>	P	<input type="checkbox"/>
Alts	<input type="checkbox"/>	Regs	<input type="checkbox"/>

**Debtor's Name:** \_\_\_\_\_  
First Middle Last

**Telephone numbers** Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

List any other names used in the past 8 years  
(DBA/KA) \_\_\_\_\_

**Social Security Number:** \_\_\_\_\_

**Address:** \_\_\_\_\_  
Street City State Zip County

**Mailing address**  
(if different): \_\_\_\_\_  
Street City State Zip County

**Email:** \_\_\_\_\_

Any prior bankruptcies in the last 8 years?  no  yes

If you are filing **jointly** with your spouse, fill in the following information:

**Spouse's Name:** \_\_\_\_\_  
First Middle Last

**Telephone numbers** Home: \_\_\_\_\_ Cell: \_\_\_\_\_ Work: \_\_\_\_\_

List any other names used in the  
past 8 years (DBA/KA): \_\_\_\_\_

**Social Security Number:** \_\_\_\_\_

**Address**  
(if different): \_\_\_\_\_  
Street City State Zip County

**Mailing address**  
(if different) \_\_\_\_\_  
Street City State Zip County

**REAL PROPERTY**

Do you own or are you buying a structural home, mobile home, unimproved land, or a cemetery plot? [ ] no [ ] yes

Please give a brief description of the property (age of dwelling, approximate square footage, acreage, etc.):

\_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_

Purchase Date: \_\_\_\_\_ Purchase Price: \_\_\_\_\_ Fair Market Value: \_\_\_\_\_

Name & address of Mortgage/s: \_\_\_\_\_ Amount owing: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Do you own or are you buying any other real estate? [ ] no [ ] yes

**PERSONAL PROPERTY**

**(FMV = Fair Market Value)**

Bank Accounts

Type: \_\_\_\_\_ Bank Name & Address: \_\_\_\_\_ Bal: \_\_\_\_\_

Type: \_\_\_\_\_ Bank Name & Address: \_\_\_\_\_ Bal: \_\_\_\_\_

**Fair Market Value (Garage sale value) of other personal property**

Household goods and furniture including audio and video equipment: \_\_\_\_\_

Books & Music: \_\_\_\_\_ Clothing: \_\_\_\_\_ Jewelry: \_\_\_\_\_ Cameras: \_\_\_\_\_

Guns: \_\_\_\_\_ Sporting Equip: \_\_\_\_\_

Please list any unusual property not already listed above, insurance policies, artwork, livestock, etc... \_\_\_\_\_

If you have a security or rental deposit with landlord list amount: \_\_\_\_\_

List IRA's, 401k's, annuities, pensions, profit-sharing plans, etc...

Name: \_\_\_\_\_ Value: \_\_\_\_\_

Name: \_\_\_\_\_ Value: \_\_\_\_\_

List all **VEHICLES** (even ones that are junk):

[We have a Kelley blue book to estimate the **FMV** of cars & trucks]

Year	Mileage	Make/Description	FMV	Amt. Owing	Lien Holder & Address
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____

Boats/trailers anything else not listed:    Amt. Owing    Lien Holder & Address  
Value / Description:

_____	_____	_____
_____	_____	_____
_____	_____	_____

Do you expect a tax refund? [ ] no [ ] yes

List all priority debts such as taxes, student loans, child support, & alimony:

\_\_\_\_\_

\_\_\_\_\_

Do you have any co-signers or co-debtors? \_\_\_\_\_

**MONTHLY INCOME**

- Married
- Single
- Divorced
- Separated
- Widowed

List all dependents, their ages, and their relationship to you		
<u>Name</u>	<u>Age</u>	<u>Relationship</u>

**Debtor**

**Spouse**

Employer: \_\_\_\_\_ Employer: \_\_\_\_\_  
 Address: \_\_\_\_\_ Address: \_\_\_\_\_  
 Occupation: \_\_\_\_\_ Occupation: \_\_\_\_\_  
 Years employed at current job? \_\_\_\_\_ Age: \_\_\_\_\_ Years employed at current job? \_\_\_\_\_ Age: \_\_\_\_\_

<b>Office use only:</b>	<u>Debtor</u>	<u>Spouse</u>
Gross income:	_____	_____
O/T:	_____	_____
Taxes:	_____	_____
Insurance:	_____	_____
401k/IRA:	_____	_____
Union Dues	_____	_____
Other:	_____	_____

**Do you receive:**

	<b>Debtor Amt</b>	<b>Spouse Amt</b>
a.) Income from business operations outside of your regular paycheck listed above?	_____	_____
b.) Alimony or family support payments for your use or for care of your dependents?	_____	_____
c.) Social Security or other forms of monetary government assistance?	_____	_____
d.) Retirement or Pension money?	_____	_____

**Do you have any other sources of income?**

**Are you or your spouse expecting any changes in income next year?**

**CURRENT MONTHLY EXPENSES**

Do you and your spouse maintain separate households? [ ] no [ ] yes  
If so, fill out one page for each.

The following questions ask for your expenses each month. If you are unsure of the amount you pay each month, but know the amount for a different period (per week, per day, every 2 months, etc...), write in the amount and frequency for each.

**Indicate how much you pay for each item per month**

1. \$ \_\_\_\_\_ your rent or your home mortgage (include rental for mobile home lot or park space)

Does that amount include real estate taxes? [ ] no [ ] yes  
Does it include property insurance? [ ] no [ ] yes

2. \$ \_\_\_\_\_ electricity and heating

3. \$ \_\_\_\_\_ water and sewage

4. \$ \_\_\_\_\_ telephone service/cell phone

5. \$ \_\_\_\_\_ utility bill  
If more than one, provide amount and kind.  
\$ \_\_\_\_\_ utility: \_\_\_\_\_  
\$ \_\_\_\_\_ utility: \_\_\_\_\_

6. \$ \_\_\_\_\_ home maintenance, including repairs & upkeep

7. \$ \_\_\_\_\_ food

8. \$ \_\_\_\_\_ clothing

9. \$ \_\_\_\_\_ laundry and dry cleaning

10. \$ \_\_\_\_\_ medical and dental expenses

11. \$ \_\_\_\_\_ transportation (not including car payments)

12. \$ \_\_\_\_\_ entertainment, recreation, newspapers, magazines

13. \$ \_\_\_\_\_ charitable contributions

14. **INSURANCE - NOT DEDUCTED FROM PAYCHECK**

- (a) \$ \_\_\_\_\_ homeowners or renters insurance
- (b) \$ \_\_\_\_\_ life insurance
- (c) \$ \_\_\_\_\_ health insurance
- (d) \$ \_\_\_\_\_ auto insurance
- (e) \$ \_\_\_\_\_ other insurance: describe: \_\_\_\_\_

15. **TAXES NOT DEDUCTED FROM PAYCHECK** (specify) e.g. Property or mobile home taxes

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

16. **INSTALLMENT PAYMENTS** for car, furniture, etc. (specify)

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

17. \$ \_\_\_\_\_ alimony, maintenance, support paid to others

18. \$ \_\_\_\_\_ payments for support of dependents not living at home

19. \$ \_\_\_\_\_ court ordered payments not already listed

20. \$ \_\_\_\_\_ childcare

21. \$ \_\_\_\_\_ care for elderly, chronically ill, or disabled family members

22. \$ \_\_\_\_\_ education expense for your children under 18

23. \$ \_\_\_\_\_ pet, livestock, vet expenses

24. \$ \_\_\_\_\_ non-mandatory contributions to retirement accounts (including loan repayment)

25. \$ \_\_\_\_\_ other expenses not listed above

\$ \_\_\_\_\_  
\$ \_\_\_\_\_

**STATEMENT OF FINANCIAL AFFAIRS**

If you are filing jointly with your spouse, include information about both you and your spouse. If you are filing under chapter 13, and you are married and not separated, you must provide information about your spouse even if you are not filing jointly.

If you have no information to report for a question, check the "NONE" box

1. Income from employment or operation of business

State your gross income/s from employment or operation of a business. If you have not received an income from employment during the **two years** immediately preceding this calendar year, check the appropriate box.

NONE DEBTOR  NONE SPOUSE

DEBTOR Amount	SPOUSE Amount	Period
\$ _____	\$ _____	January 1 of 2010 through the ending date of your last pay stub
\$ _____	\$ _____	2009
\$ _____	\$ _____	2008

2. Income other than from employment or operation of business

State the amount of income(s) received other than from employment or operation of business during the **two years** immediately preceding the commencement of this case. none, check the appropriate box.

NONE DEBTOR  NONE SPOUSE

DEBTOR Amount	SPOUSE Amount	Period
\$ _____	\$ _____	2009
\$ _____	\$ _____	2008

3. Payments to creditors

a. If your debts are primarily consumer debts, list all payments on loans, installment purchases of goods or services, and other debts, totaling **more than \$600.00** to any creditor made within **90 days** immediately preceding the commencement of this case (other than a house or car payment).

Name and Address of Creditor / Dates of Payments / Amount paid / Amount owed



NONE

Name and Address Of Recipient	Relationship to you, / if Any	Date / of Gift	Description / and Value of Gift
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8. Losses

List all losses from fire, theft, gambling or other casualty within **one year** immediately preceding the commencement of this case.

NONE

8. Payments related to debt counseling or bankruptcy

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consultation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of the case.

NONE

Name and Address of Payee	Date of / Payment	Name of Person / Who Paid, if not you	Amount of Money/Description /and Value of Property
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10. Other transfers (including sale of your property)

a. List any property transferred, sold, or given away including cars or other personal property having a value in excess of \$300.00, within **four years** immediately preceding the commencement of this case.

NONE

Name and Address of Transferee And Relationship to you	Date of Transfer	Description of Property / Transferred and Value Received
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b. List all property you transferred within **10 years** immediately preceding the commencement of this case to a **trust**, or a similar device of which you are the beneficiary.

NONE

Name of Trust Similar Device	Date of Transfer	Amount of Money or Description / and Value of Property or Interest
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11. Closed financial accounts

List all financial accounts and stocks, bonds, etc., held in your name or for your benefit which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case.

NONE

Name and Address of institution	Type and Number of / Account & Final Balance	Amount and Date / of Sale or Closing
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12. Setoffs (Money taken from your account)

List all setoffs made by any creditor, including a bank, against a debt or deposit of yours within **90 days** preceding the commencement of this case.

NONE

Name and Address of Creditor	Date of Setoff	/ Amount of Setoff
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13. Prior address of debtor/s

Have you lived in California continuously for the last **3 years**?  no  yes

If no, please list all residences during the last 3 years with dates (excluding your present address)

13. List the names of any spouses or former spouses from the past 8 years:

NONE

14. Have you been, or are you currently engaged, in any form of business or self-employment in the last **six years**? If it is (or was in addition to a full time job, you still need to answer "yes"  no  yes

Name of Business: \_\_\_\_\_

Address of Business: \_\_\_\_\_

Last 4 digits of SS or Taxpayer ID: \_\_\_\_\_

Nature of Business: \_\_\_\_\_

Beginning & Ending Dates: \_\_\_\_\_