

# LAW OFFICES OF MICHAEL O. HAYS

In order to file your case quickly, you must complete this questionnaire and provide the following:

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

- CURRENT CREDIT REPORT that lists the last 4 digits of your account numbers
- ANY BILLS NOT LISTED ON CREDIT REPORT. Include bills you intend to continue paying such as mortgages & car payments but do not include monthly utility bills.

***Please, DO NOT bring a pile of unopened bills or multiple copies of the same bill.***

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

- IF YOU ARE EMPLOYED: Copies of your paystubs for the last 6 months
- IF YOU ARE SELF-EMPLOYED: Proof of net income (pre-tax earnings after deducting all business expenses) for last 6 months.
- ANY OTHER INCOME: Social Security, Retirement, EDD, etc. Bring either a copy of a bank statement showing deposit, an award letter from issuer or a copy of the check.
- LAST 2 YEARS OF TAX RETURNS: 2010 & 2011

## **ATTORNEY FEES**

Your consultation is free. The retainer fee is \$100.00 and is applied toward your total fees. This retainer payment allows you to notify your creditors that you have hired an attorney and have a pending bankruptcy. Once you have retained my services, you can give your creditors our Creditors' Line phone number so they can verify that you have retained and are in the process of filing bankruptcy.

### **CHAPTER 7**

Individual: \$1,100.00

Joint: \$1,200.00

Court Filing Fee: \$306.00

### **CHAPTER 13**

Individual or Joint: \$3,500.00

Business Cases: \$5,000.00

Court Filing Fee: \$281.00

*A total of \$1,774.00 must be paid for a Chapter 13 to be filed. The balance owed is paid to me by the Trustee from your monthly court payment.*

Rush jobs, current garnishments, delays, complex & business cases may be charged more. If your income is close to the cap that allows you to be in a Chapter 7, there is an additional \$250.00 charge for my work related to your income analysis.

If you need to file quickly due to current garnishment or foreclosure, we can discuss payment options.

**Once I have been hired, payments to my office are non-refundable.**

### **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 & medical bills.

People with higher incomes must file for Chapter 13. In Chapter 13 a monthly payment is made to the US Trustee who in turn applies that payment toward a percentage of your debts. Chapter 13 lasts for 36-60 months (contingent on your income). At the conclusion of your Chapter 13, you will be relieved of having to pay whatever 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. In a literal sense, the debts are still owed but the creditors have been legally barred from trying to make you pay. Immediately following the bankruptcy, your debts may still appear on your credit report. In the ensuing years, credit reporting agencies will drop the bankruptcy from your credit report (this timeframe is at the discretion of the reporting agency and could be as long as 10 years). I am not responsible for how your debts are characterized in your credit report. You can correspond with the credit reporting agencies and disagree with and / or attempt to correct information in your credit report.

### **Two Options for Obtaining a Credit Report**

**Your credit report must contain the last 4 digits of your account numbers.  
If they are not printed on the report, please write them in.**

Community Housing & Credit Counseling in Chico (530) 891-4124.  
Charge is \$20.00 payable only by money order.

[www.annualcreditreport.com](http://www.annualcreditreport.com)

This is a government website that allows you one free copy per year of your credit report.

### **Likely Consequences of Filing Bankruptcy**

1. Your house, vehicle and other secured creditors will NOT bill you after the case is filed. This means that you are responsible for making your payment to them on time.
2. Credit cards with little or no balance can still find out about the bankruptcy and cancel your unused credit with them. You CANNOT count on continued use of a card.

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

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BANKRUPTCY QUESTIONNAIRE

Single  Joint   
Regs  Alts

**Debtor's Name** (as it appears on Social Security Card):

\_\_\_\_\_ *First* \_\_\_\_\_ *Middle* \_\_\_\_\_ *Last*

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

List any other names used in the last 8 years (*fka, dba, fdba, married/ maiden names, etc.*)

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

**Address:**

\_\_\_\_\_  
*Street* \_\_\_\_\_ *City* \_\_\_\_\_ *Zip Code*

**Mailing address** ( if different):

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

Any prior bankruptcies in the last 8 years?  Yes  No If yes, when \_\_\_\_\_

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 last 8 years (*fka, dba, fdba, married/ maiden names, etc.*)

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

**Address:**

\_\_\_\_\_  
*Street* \_\_\_\_\_ *City* \_\_\_\_\_ *Zip Code*

**Mailing address** ( if different)

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

**REAL PROPERTY**

Do you own or are you buying a structural home, mobile home, unimproved land, or a cemetery plot?

Yes  No

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

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

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

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

Mortgage Name & Address	Acct No. (last 4 digits)	Amount Owing

Do you own or are you buying any other real estate?  Yes  No

**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/tv equipment): \_\_\_\_\_

Computer(s): \_\_\_\_\_ Clothing: \_\_\_\_\_ Jewelry: \_\_\_\_\_ Cameras: \_\_\_\_\_

Guns: \_\_\_\_\_ Sporting Equipment: \_\_\_\_\_

List any unusual property not included above such as Artwork, Collectibles, Livestock, Insurance Policies, 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: \_\_\_\_\_

**Vehicles:**

Please list *all* vehicles (even junk & non/op) Please, **be specific with Make/Model information** (such as: sedan, coupe, cab / bed size, model number, engine type, or any options that will assist us in attaining a fair market value from Kelley Blue Book). Account number is the last 4 digits of your account.

Vehicle #1

Year:	Mileage:	Make:	Model:
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Lien Holder Name & Address:	Owing:	KBB	Last 4 of Acct #:
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Vehicle #2

Year:	Mileage:	Make:	Model:
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Lien Holder Name & Address:	Owing:	KBB	Last 4 of Acct #:
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Vehicle #3

Year:	Mileage:	Make:	Model:
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Lien Holder Name & Address:	Owing:	KBB	Last 4 of Acct #
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Vehicle #4

Year:	Mileage:	Make:	Model:
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Lien Holder Name & Address:	Owing:	KBB	Last 4 of Acct #
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Boats/Trailers/Quads (anything else not listed): Value / Description:	Owing	Lien Holder/Account Info
_____	_____	_____
_____	_____	_____
_____	_____	_____

Do you expect a tax refund?  Yes  No

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

\_\_\_\_\_

\_\_\_\_\_

Do you have any co-signers or are you a co-signer for another person's debt?  Yes  No

**MONTHLY INCOME**

***DEPENDENTS***

- Married
- Single
- Divorced
- Separated
- Widowed

Name	Age	Relationship

Debtor				Spouse			
Employer				Employer			
Address				Address			
Occupation				Occupation			
Years Employed at Job		Age:		Years Employed at Job		Age:	

FOR OFFICE USE ONLY	DEBTOR	SPOUSE
GROSS INCOME		
OVERTIME		
TAXES		
INSURANCE		
401k / IRA		
DUES		
OTHER		

Do you receive (list amount):	Debtor	Spouse
Self-Employment Income (beyond your regular paycheck)?	\$	\$
Alimony or Family Support Payments?	\$	\$
Social Security or forms of Government Monetary Assistance (please, be specific)	\$	\$
Retirement or Pension Income?	\$	\$

Do you have any other sources of income?  Yes  No \_\_\_\_\_

Are you or your spouse expecting any changes in income next year?  Yes  No

**CURRENT MONTHLY EXPENSES**

Do you and your spouse maintain separate households?  Yes  No  
If yes, please fill out one page for each household.

The following questions ask for your monthly expenses. 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 the frequency.

1. \$ \_\_\_\_\_ Rent or Home Mortgage (include rental for mobile home lot or park space)

*Does that amount include real estate taxes?*  Yes  No  
*Does it include property insurance?*  Yes  No

2. \$ \_\_\_\_\_ Electricity and Heating

3. \$ \_\_\_\_\_ Water and Sewage

4. \$ \_\_\_\_\_ Telephone Service/Cell Phone

5. \$ \_\_\_\_\_ Do you have any other utility bills? Name & Amount

\$ \_\_\_\_\_ Other Utility

\$ \_\_\_\_\_ Cable / Satellite

\$ \_\_\_\_\_ Internet

\$ \_\_\_\_\_ Garbage

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) \$ \_\_\_\_\_ Homeowner or Renter’s 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  
(i.e., children in college)

19. \$ \_\_\_\_\_ Expenses from Operation of Business

21. \$ \_\_\_\_\_ Court ordered payments not already listed

22. \$ \_\_\_\_\_ Childcare

23. \$ \_\_\_\_\_ Care for elderly, chronically ill, or disabled family  
members

24. \$ \_\_\_\_\_ Education expense for your children under 18

25. \$ \_\_\_\_\_ Pet, Livestock, Vet Expenses

26. \$ \_\_\_\_\_ Non-mandatory contributions to retirement accounts  
(including loan repayment)

27. \$ \_\_\_\_\_ 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.

**1. Income from employment or operation of business**

*State your gross income from employment or operation of a business.*

If you have not received employment income in the TWO YEARS immediately prior to this calendar year, check the appropriate box: **None, Debtor**  **None, Spouse**

DEBTOR	SPOUSE	
Amount	Amount	Period
\$___	-\$___	YEAR TO DATE FOR 2012
\$___	-\$___	2011
\$___	-\$___	2010

**2. Income from sources other than wages or operation of a business (i.e., EDD, IRA/401K distributions, Gambling winnings, Social Security, Etc.)**

DEBTOR	SPOUSE	
Amount	Amount	Period
\$___	-\$___	2011
\$___	-\$___	2010

**3. Payments to Creditors:**

Excluding house or car payments, did you pay any creditor more than \$600.00 in the 90 days prior to this case? YES  NO  If yes, please list:

<i>Creditor Name &amp; Address</i>	<i>Payment Date(s)</i>	<i>Amount Paid</i>	<i>Amount Owed</i>

**3A. ALL DEBTORS:** Did you pay any Insiders (relatives, friends, business partners, etc.) in the two years preceding this case? If in doubt, list payments and I'll help you sort it out.

YES  NO

<i>Name, Address &amp; Relationship to you</i>	<i>Payment Date(s)</i>	<i>Amount Paid</i>	<i>Amount Owed</i>

**4. Suits, Executions, Garnishments & Attachments:**

A. List all suits to which you are or were a party to within one year of this case:

<i>Case Name &amp; Number</i>	<i>Nature of Proceeding</i>	<i>Court Location</i>	<i>Status / Disposition</i>

**B.** Describe all property that has been garnished, seized or attached within one year of this case:

<i>Creditor Name &amp; Address</i>	<i>Date of Seizure</i>	<i>Status / Disposition</i>

**5.** Repossessions, Foreclosures & Returns

List all property that has been repossessed, sold at foreclosure, transferred through a deed in lieu of foreclosure, or returned to seller within one year of this case:

<i>Creditor Name &amp; Address</i>	<i>Date of Sale/ Return/ Foreclosure</i>	<i>Property Address or Description of Repo/ Returned Property</i>

**6.** Gifts: List all gifts (excluding ordinary gifts to family of less than \$200.00) or charitable contributions over \$100.00 made within one year of this case.

<i>Name, Address &amp; Relationship to you (if any)</i>	<i>Gift Date(s)</i>	<i>Amount Paid</i>	<i>Description</i>

**7.** Losses: List all losses from theft, fire, gambling or other casualty within one year of this case:

<i>Loss:</i>	<i>Amount:</i>	<i>Date:</i>

**8.** Payment related to debt counseling or bankruptcy: Did you make payments or transfer property to an attorney, debt relief agency or another person for debt consultation, relief under bankruptcy law, or preparation of petition in bankruptcy within one year prior to this case? YES  NO   
If yes, please list:

**9.** Other Transfers (including sale of your property): List any property (including cars or other personal property over \$300.00 in value) sold, transferred, or given away within four years of this case:

<i>Buyer's Name, Address &amp; Relationship to you (if any)</i>	<i>Date of Sale/ Transfer</i>	<i>Property Description &amp; Value Received</i>

**10.** Closed Financial Accounts: List all bank accounts, stocks, bonds, retirement accounts, etc. that were in your name and closed within one year of this case.

<i>Account Name &amp; Address</i>	<i>Date of Closure</i>	<i>Ending Balance</i>

**11. Safe Deposit Box:** Have you have a safe deposit or other depository box within one year of this case? YES  NO  If yes, list contents & value:

**12. Setoffs (money taken from your accounts):** List all setoffs made by a creditor (including a bank) against a debt or deposit within 90 days of this case:

<i>Creditor Name &amp; Address</i>	<i>Date of Setoff</i>	<i>Amount of Setoff</i>

**13. Prior Addresses of Debtor:**

Have you lived in California continuously for the last three years: YES  NO

If not, please list previous addresses within last three years:

**14. List names of spouse or former spouses within the last eight years:**

**15. Self-Employment:** Are you now or have you been self-employed in any business in the last six years? If it was in addition to a full-time job, you still need to list it:

<i>Name of Business:</i>	
<i>Address of Business:</i>	
<i>Last 4 digits of Social Security or Taxpayer ID number:</i>	
<i>Nature of Business:</i>	
<i>Beginning &amp; Ending Dates:</i>	