

INITIAL CONSULTATION QUESTIONNAIRE

Ch 7 13 7/13
 Ch 13: Inc – Prev – N/E
 Issues:

 Fee/13 Down: \$
 Add'l Fee:
 \$ for
 \$ for

 Your Last Name First Name Middle Name Work Phone

A. Are you married? Yes No

If you are a single person, complete the worksheet by using the line for "Husband" if you are male, and the line for "Wife" if you are female, in answering each question for yourself.

B. If you are married, are you and your spouse planning on filing bankruptcy? N/A Yes No

If "Yes," complete the worksheet for both yourself and your spouse. A joint petition is permitted only if a Final Decree of Dissolution of Marriage has not yet been entered by the state court.

If "No," (you are married, but your spouse is not planning on filing bankruptcy), answer the questions for the filing spouse only, **except**, that **income and expense information must be disclosed for both spouses.**

C. Are you married but separated? N/A Yes No

 Your Spouse's Last Name Spouse's First Name Spouse's Middle Name Work Phone

Your Mailing Address: _____
STREET APT. # CITY STATE ZIP

Your Street Address (if different): _____
STREET APT. # CITY STATE ZIP

Your Spouse's Address (If different): _____
STREET APT. # CITY STATE ZIP

Your Street Street Address (if different): _____
STREET APT. # CITY STATE ZIP

Your Contact Phone _____ (Best phone # to contact & leave messages)

Your Spouse's Contact Phone _____ (Best phone # to contact & leave messages)

Your email address: _____ ; Your Spouse's email address: _____

Do you check your email daily? N/A Yes No

How did you learn of our office? Internet __ (AVVO __; Findlaw __ ; DexKnows __ ; Other _____)

Yellow Pages __ Attorney __ Friend __ Other _____

OFFICE USE ONLY:

INCOME:

1. Income - Occupation/Employment/Self-employment? _____
Gross Monthly income before tax ___ salary ___ hourly ___ commission ___ bonuses \$ _____ (Monthly, before tax)
Net Monthly income after taxes (take home) \$ _____ (Monthly)
2. Spouse's Income - What is your spouse's occupation – type of work/employer?: _____
Gross Monthly income before tax ___ salary ___ hourly ___ commission ___ bonuses \$ _____ (Monthly, before tax)
Net Monthly income after taxes (take home) \$ _____ (Monthly)
3. Number of Persons in Household? Adults: _____
Children (ages): _____
Other Dependents: _____
Others: _____
MFI: 1 – 52.3/4366; 2 – 69.4/5789; 3 – 76.4/6371; 4 – 88.7/7400; 5+, add 8100
5. Other sources of income? NO YES \$ _____/mo Est.
SSI/SSDI \$ _____
Pension \$ _____
Ux \$ _____
Other gov't assist \$ _____
Child Support/Spousal Support \$ _____
Rent \$ _____
Other \$ _____
6. Lived in Colorado for the most recent 2 years ? YES NO
(I arrived _____; lived in ___ 2 ½ yrs ago)

ASSETS & SECURED DEBT:

7. Own home (house, condo, or mobile home)? NO YES
If yes: Present Value: \$ _____ How/when determined? _____ / _____
- | <u>Name of Home Lender/mortgage and Lien holders on home</u> | <u>Balance Now</u> | <u>Mortgage Payment</u> | <u>No. of Payments Behind</u> |
|--|--------------------|-------------------------|-------------------------------|
| 1 st _____ | \$ _____ Est. | \$ _____ Est. | _____ |
| 2 nd _____ | \$ _____ Est. | \$ _____ Est. | _____ |
| 3 rd _____ | \$ _____ Est. | \$ _____ Est. | _____ |
| TOTAL | \$ _____ | | |

EQUITY \$ _____

7.1 Mortgage payment PITI? N/A YES NO

If not, current on property taxes? N/A YES NO

8. HOA? N/A NO YES

If yes, current on HOA assessments? N/A YES NO

Monthly assessments? \$ - _____

11. 60 or older, or disabled? Client: NO YES

Spouse: NO YES

12. Auto? NO YES

#1 Year: ___ Make _____ Model _____ Trade-in Value \$ _____ Date Purchased _____

#2 Year: ___ Make _____ Model _____ Trade-in Value \$ _____ Date Purchased _____

#3 Year: ___ Make _____ Model _____ Trade-in Value \$ _____ Date Purchased _____

Lender	Monthly payment	Loan/Lease Balance now	Payments behind	Keep/Surrender
#1	\$ _____	\$ _____		
#2	\$ _____	\$ _____		
#3	\$ _____	\$ _____		

13. Other secured debts? NO YES

(could include furniture, appliances, jewelry, etc.)

Please provide the following information for those debts:

<u>Creditor</u>	<u>Collateral</u>	<u>Loan Balance</u>	<u>Present Value</u>	<u>Present Monthly Payment</u>
_____	_____	\$ _____ Est.	\$ _____ Est.	\$ _____
_____	_____	\$ _____ Est.	\$ _____ Est.	\$ _____

14. Interest in property not in your name? NO YES _____

15. Name on anyone else's property? NO YES _____

PRIORITY DEBT:

16. Debt as a result of a divorce, separation agreement, divorce decree or other order of a court? NO YES
 If yes, describe: \$ _____ Est.
 (non-dischargeable in Chapter 7)

17. Obligated to pay DSO? (not dischargeable) NO YES \$_____ Est.
 If yes, Child support - \$____; Spousal Maint - \$ _____
 (100% payment required in Chapter 13)

18. DSO arrearages? NO YES \$_____ Est.
 (100% payment required in Chapter 13 - not dischargeable)

19. Unfiled income tax returns? NO YES
 Years: _____

19.1 Tax Refund last year? NO YES
 Federal - \$ _____ ; Colorado - \$ _____ ; Other State ____ - \$ _____

20. Tax Debt? NO YES

a. If YES, please estimate the following:

Type of Tax Owing:	Federal income tax	\$_____ Est.	State income tax	\$_____ Est.
Year _____	Wage withholding	\$_____ Est.	Real Estate	\$_____ Est.
	Sales tax	\$_____ Est.	Other	\$_____ Est.
Type of Tax Owing:	Federal income tax	\$_____ Est.	State income tax	\$_____ Est.
Year _____	Wage withholding	\$_____ Est.	Real Estate	\$_____ Est.
	Sales tax	\$_____ Est.	Other	\$_____ Est.
Type of Tax Owing:	Federal income tax	\$_____ Est.	State income tax	\$_____ Est.
Year _____	Wage withholding	\$_____ Est.	Real Estate	\$_____ Est.
	Sales tax	\$_____ Est.	Other	\$_____ Est.

(not dischargeable, generally)

(Tax liability for unfiled, late-filed, or fraudulent returns is non-dischargeable.)

21. Owed a refund of tax payments for any tax year? NO YES \$_____ Est.
 (Tax refunds not received and spent are lost to the trustee)

22. For unfiled tax return, will you OWE taxes to the IRS? NO YES \$_____ Est.

23. For unfiled tax return, will you OWE taxes to the State? NO YES \$_____ Est.

24. Debt re: violation of law? NO YES \$_____ Est.

ALL OTHER DEBT:

25. Revolving credit (Cr Cards) \$ _____
 Payday loans: \$ _____
 Medical: \$ _____
 Loans unsecured \$ _____
 Lease Deficiencies: \$ _____
 Judgments/Arbitrations: \$ _____

Friends/Relatives: \$ _____
 Student Loans \$ _____
 Repossessed property \$ _____
 Foreclosed property \$ _____
 Other: \$ _____
UNSECURED TOTAL \$ _____

26. What is the approximate number of collectors and creditors? 1-10 _____ 11 - 20 _____ 21- 30 _____ 31-40 _____
 41-50 _____ 51-76 _____ 77-100 _____ 101-150 _____ 151+ _____

27. Purpose of debts? _____ % Business purpose; _____ % Consumer purpose;

28. Are you leasing any personal property? NO YES

If Yes: Description of Property: _____

NON-EXEMPT ASSETS (personal property will be value at liquidation/auction/pawnshop/garage sale values):

<u>Non-exempt items:</u>	<u>Value</u>	<u>Non-exempt items:</u>	<u>Value</u>
RVs, trailers, boats, skidoos, jet-skiis, ATVs	\$ _____ Est.	Inheritance (expecting to receive):	\$ _____ Est.
Antiques & collectibles (art, coins, stamps, etc)	\$ _____ Est.	Investments:	\$ _____ Est.
Business Materials, Tools:	\$ _____ Est.	Receivables, Notes:	\$ _____ Est.
Jewelry (at auction/pawnshop value):	\$ _____ Est.	Lawsuits (where you are suing) or claims:	\$ _____ Est.
Sporting Goods & Guns:	\$ _____ Est.	Cash Value Life Insurance:	\$ _____ Est.
Uncollected Tax refunds	\$ _____ Est.	Money, Bank Accounts, Savings:	\$ _____ Est.
Other:	\$ _____ Est.	Stock, Partnerships, L.L.C.,etc.:	\$ _____ Est.

30. Interest in any real property (time share, burial plot, mineral or water rights)? NO YES
 (As an owner, lessee, purchaser, seller, or mortgage holder?)

Location/Descrp? (1) _____	(2) _____
Value: \$ _____ Est.	Value: \$ _____ Est.
Mortgage Balance: \$ _____ Est.	Mortgage Balance: \$ _____ Est.
Equity: \$ _____ Est.	Equity: \$ _____ Est.

31. Own depreciated commercial or rental real property that you expect to be foreclosed? NO YES

32. Trustee, POA, act in any fiduciary capacity? NO YES

33. Beneficiary of any trust or do you expect to be entitled to receive an inheritance or life insurance proceeds within the near future? NO YES

34. Have you established a trust of which you are the beneficiary, within the last 10 years? NO YES

35. Do you have an educational IRA or tuition savings program? NO YES \$ _____ Est.

36. Do you have any annuity? NO YES \$ _____ Est.

PREFERENCES & TRANSFERS:

37. Have you paid more than \$600 or given collateral to any unsecured creditor in the last 90 days? NO YES

If yes, To Whom? _____ ; When? _____ ; Amount? \$ _____

If yes, To Whom? _____ ; When? _____ ; Amount? \$ _____

38. Have you made any payment(s) or given any property or things (including loan repayments and/or gifts) to a friend, relative or insider in the last 4 years? **NO YES**

If yes, To Whom? _____ ; When? _____ ; Amount? \$ _____

If yes, To Whom? _____ ; When? _____ ; Amount? \$ _____

39. Have you sold, transferred, given away, removed, destroyed, mutilated or concealed property within the last 4 years? **NO YES**

40. Have you ever transferred property for less than fair market value? **NO YES**

BANKRUPTCY ELIGIBILITY:

41. Have you or your spouse ever filed bankruptcy? **NO** **YES** Yr? _____
Client's SSN: _____ ; Spouse's SSN: _____

42. Owe more than \$383,175 of unsecured (no collateral) debt (including taxes)? **NO** **YES** \$ _____ Est.

43. Owe more than \$1,149,525 of secured (collateral) debt? **NO** **YES** \$ _____ Est.

IMMEDIACY:

44. Regardless of threats, are there or have there been any judgments, lawsuits, arbitrations, and legal proceedings, including for domestic violence, divorce, family support, paternity, custody &/or parenting rights involving you or your spouse? **NO** **YES**

If YES, complete the following regarding such legal proceedings:

Names of plaintiff/defendant/claimant

Status of Case

a. _____

b. _____

45. Have your wages or bank accounts been garnished? **NO** **YES**
(garnishments only stop after the bankruptcy is filed) Next Payday? _____

46. Is anything about to be repossessed or foreclosed? **NO** **YES**

47. Has a **foreclosure action** been filed with the Public Trustee? **NO YES**

(Ask Mr. Hoskins about filing a Notice of Intent to Cure Default.) If YES: **sale date:** _____

48. Do you have any unpaid judgments or liens on your property? **NO** **YES**

NON-DISCHARGEABLE DEBT:

49. Do you have any outstanding bench or arrest warrants? **NO** **YES**

50. Are any criminal or traffic matters pending against you? (not affected by bankruptcy) **NO** **YES**

51. Do you owe criminal restitution? (not discharged in bankruptcy) **NO** **YES** \$ _____ Est.

52. Have you ever been convicted of a felony? **NO** **YES**

53. Are you still using credit card accounts? Last date used: _____ NO YES (STOP USING)
54. Have you been paying credit cards with other credit cards? (STOP!) **NO YES**
55. Have you incurred debt with any one creditor of \$1,000+ in last 12 months? **NO YES** \$ _____ Est.
(charges or balance transfers on credit cards, or lines of credit)
56. Have you charged more than \$500 for luxury goods or luxury services **NO YES** \$ _____ Est.
(e.g. fur coat, Hawaii) with ONE creditor in the last 6 months?
57. Have you received more than \$750 of cash advances from ONE creditor **NO YES** \$ _____ Est.
within the last 6 months?
58. Do you have unpaid bad checks? NO YES \$ _____ Est.
59. Do you have unpaid loans which you have used to pay taxes, fines or penalties? NO YES \$ _____ Est.
60. Have you been accused of obtaining or have you obtained credit under false pretenses **NO YES** _____
or lied to get credit?
61. Have you been accused of or have you given a false financial statement **NO YES** _____
to any creditor within last year?
62. Have you been accused of breaching or have you breached a fiduciary duty? **NO YES**
63. Are you a contractor who has not paid subcontractors? (Or is money owed **NO YES** \$ _____ Est.
to an owner for unfinished work or undelivered materials?) (not dischargeable)
65. Have you willfully or maliciously damaged persons or property, or been accused of **NO YES**
willfully or maliciously damaging persons or property? (Not dischargeable)
67. Do you owe money because of personal injury, death due to driving **NO YES** \$ _____ Est.
while intoxicated or under the influence of controlled substances?
68. Do you owe a fine or penalty to any governmental agency other than taxes? **NO YES**
Agency? _____ \$ _____ Est.