

Client Name: _____

RULES FOR FILING BANKRUPTCY (Doc. #1)

(11 USC § 527(a))

RULE #1 – The information you give to an attorney, a staff member of the law firm, the Bankruptcy Trustee, or the Bankruptcy Court that is provided with your petition and during the case must be **complete, accurate and truthful**.

RULE #2 – **Everything** you own and every debt you owe must be completely and accurately **disclosed** in the documents filed to commence this case. Bankruptcy is not a “pick and choose” proceeding. You do not leave some debts in and leave some debts out. Everything must be included. You must value each item you own, after reasonable inquiry; at the rate it would cost you to replace the item with one of the same condition, age, and usefulness.

RULE #3 – You will be required to complete a current monthly budget. This will be performed with your attorney after reasonable inquiry. This budget will be based on your Current Monthly Income and your regular monthly expenses. This is more than just what is paid to you by your employer and will include any income **Current Monthly Income** received in the past 6 months commencing with the first full month before your bankruptcy filing. This could include government assistance, social security, unemployment, side jobs, or any other sources. The regular expenses should be as close as possible and should be based on a reasonable inquiry.

RULE #4 – The Bankruptcy Code requires you to perform certain tasks including **filing certain documents** with the Court. Your attorney will notify you of the need and time limits for performing these tasks. If you fail to meet these deadlines your case will automatically be dismissed and you may be barred from refileing a case.

RULE #5 – All of the information you provide to this office is subject to audit by a third party. If you fail to provide the information during an audit, your case may be dismissed. If you act dishonestly you may be subject to criminal sanctions.

I/We have read the above, received a copy for my/our records and will follow these rules to the best of my/our ability. We understand that if we don't follow these rules, we may not be entitled to receive a Discharge in bankruptcy.

Date: _____

Client's Signature

Client's Signature



Robert C. Russell, P.C., designated as a Federal Debt Relief Agency by an Act of Congress and the President of the United States, has proudly assisted consumers seeking relief under the U.S. Bankruptcy Code for over 20 years.

A Member of the National Association of Consumer Bankruptcy Attorneys
Graduate of the O. Max Gardner III Bankruptcy Bootcamp

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RULES FOR FILING NANKRUPTCY (Doc. #2)
(11 U.S.C. §527(b))

IMPORTANT INFORMATION ABOUT BANKRUPTCY ASSISTANCE SERVICES FROM AN ATTORNEY OR BANKRUPTCY PETITION PREPARER

If you decide to seek bankruptcy relief, you should be advised that (1) you can represent yourself in all matters connected with the bankruptcy, (2) you can hire an attorney to represent you, and (3) you may, in some areas, hire a bankruptcy petition preparer who is not an attorney.

THE LAW REQUIRES AN ATTORNEY TO GIVE YOU A WRITTEN CONTRACT SPECIFYING WHAT THE ATTORNEY WILL DO FOR YOU AND HOW MUCH IT WILL COST. ASK TO SEE THIS CONTRACT EBFOR YOU HIRE AN ATTORNEY.

Although bankruptcy cases can be complex, many of the procedures and cases are routine. Before filing a bankruptcy case, you or your attorney should analyze your eligibility for different forms of debt relief available the Bankruptcy Code and which form of relief is most beneficial to you. Be sure you understand the relief you can obtain and its limitations.

To file a bankruptcy case, documents called a Petition, Schedules, and Statement of Financial Affairs, as well as in some cases a Statement of Intention need to be prepared correctly and filed with the bankruptcy court. You will have to pay a filing fee to the bankruptcy court.

Once your case is filed, you will have to attend a first meeting of creditors where you will be questioned under oath by a court official called a "trustee". At this meeting you may also be questioned by your creditors.

If you choose to file a Chapter 7 case, you may be asked to reaffirm a debt. You may want help deciding whether to do so. A creditor is not permitted to coerce you into reaffirming debts.

If you choose to file a Chapter 13 case in which you repay your creditors what you can afford over 3 to 5 years, but sometimes a period of less than 3 years, you may also want help with preparing your Chapter 13 Plan and with the confirmation hearing on your plan which will be fore a Federal Bankruptcy Judge.

If you select another type of relief under the Bankruptcy Code other than Chapter 7 or Chapter 13, you will want to find out what should be done from someone familiar with they type of relief.

Your bankruptcy case may also involve litigation. You are generally permitted to represent yourself in litigation in bankruptcy court. **BE AWARE** – Only an attorney can give you legal advice and can represent you in court.

I/We have read and understand the above, and have received a copy for my/our records.

Date: _____

Client Signature

Client Signature



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CLIENT INSTRUCTIONS (Doc. #3)
(11 U.S.C. § 527(c))

DEFINITIONS

1. Replacement Value – Certain sections of the Bankruptcy Code will require you to determine the value of your person and real property. We will provide you assistance with this calculation but we are required under law to provide a written explanation of this term. For personal, family and household purposes the replacement value is **the value a retail merchant selling the item would charge considering the age and condition of the item.** The code does not define the term retail merchant. (If it can be purchase at Goodwill or on Craig's List, then you can use that value.)

Example: Assume that you have a DVD player that is 3 years old. You have been using the DVD player regularly and it works. The **replacement value** for this item would be what a used item store or flea market would price the item. In doing this calculation, you do not have to be precise, just reasonable. We will assist you with any inquiries as to valuing your household items.

2. Current Monthly Income – Under certain sections of the Bankruptcy Code you will be required to calculate your Current Monthly Income. This is more than what you receive every time you get a pay check. This includes all income you have received over the **last 6 months** divided by 6. This means that if you lost your job last month your total income for that month would be almost zero. This calculation does not take into account many government benefits including social security. This income even includes income that is not taxable.

3. Calculations – If you file a Chapter 13 plan you will be required to submit a budget that calculates **disposable income** left over when you deduct your monthly expenses from your monthly income. These **expenses** do not include your payments on unsecured debts. We will assist you with these calculations. If your Current Monthly Income is higher than the State Median Income for your household size you will be subject to a **Means Test**. This Means Test adds up your total expenses as defined by the Bankruptcy Code and other deductions including regular charitable donations (up to 15% of your income), school expenses, payments on 401(k)/IRA loans, and health insurance. If you are subject to this calculation an attorney will help you perform this task.

4. Creditor Matrix – If you file a Chapter 13 case, you will be required to prepare and submit a master mailing matrix in a format approved by the Court that includes the **names and addresses** of all of your creditors. The matrix must be in three columns and in alphabetical order. You must also list any persons who have co-signed or guaranteed loans for you. In addition, the law requires that you list the following parties even if you owe

Client's Initials

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them no money: the Internal Revenue Service, the Washington Department of Revenue, the City or County tax authority in your place of residence, the Office of the United State Attorney, and the Office of the Washington Department of Justice. **All creditors** have designated specific address for the receipt of notices of bankruptcy and in connection therewith you must use the address designated on 2 of the most recent statements received from each creditor within the 90 day period before the filing of your case. If your matrix is not filed in the proper format, your case may be subject to dismissal by the Court.

5. Exemptions – In order to protect your property you will need to claim applicable exemptions provided by State or Federal Law. **We will assist and advise** you on the proper exemptions to claim for your case.

ACKNOWLEDGEMENT OF RECEIPT

I acknowledge that attorney Robert C. Russell has given to me and reviewed with me a copy of the Definitions as required by Bankruptcy Code Section 527(b).

Signed this, the ____ day of _____, 20__.

Client signature

Client signature



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